

THE CAREER OF MAITLAND OF LETHINGTON
c. 1526-1573

by

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It is the first of many paradoxes within this thesis that after signing the declaration that this thesis is all my own work, I now acknowledge the support and assistance of a number of people without whom it could not have been completed.

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ABSTRACT

This thesis attempts to clarify the career of one of the most remarkable politicians in Scotland's history, William Maitland of Lethington, Scotland's Machiavelli and Principal Secretary of State from 1558-73. His influence has long been acknowledged but never adequately explained. This thesis attempts to remedy that defect by investigating the source of Maitland's power, the Scottish Secretariat. The full extent of Maitland's responsibilities are explained to show that he exemplifies the notion of the sixteenth century not only as the age of the council and of the Secretary but also of the royal court.

Maitland's consistent awareness of the wider European dimension in which Scotland's affairs were invariably cast at this time - one of the major themes of this thesis - is seen to be due primarily to his control of foreign policy through his position as Secretary. Maitland was the only Scottish representative present at the closing stages of the Treaty of Cateau-Cambrésis. It was little wonder that he was able to view Scotland's affairs in a wider context than most of his countrymen.

The renaissance background of the Maitland family is traced in detail and is acknowledged as a major contributing factor to Maitland's success in the government of Mary Stewart, renaissance Queen of Scots. New light is shed on Maitland's involvement in all the major episodes that so conspicuously colour his fifteen-year Secretariat. His role in the Reformation crisis is critically examined and his articulation of the most radical unionism ever voiced by a pre-Union Scottish official explained. Maitland's volte-face following his immediate realization of Mary's likely return in January 1561 is noted and the traditional notion of the amity from 1561-65 challenged. Maitland's leading role in the attempted coup d'état of 1566, his major part in Mary's downfall in 1567 and his subsequent leadership of the Queen's party is critically re-appraised.

Maitland's religious, political and cultural leanings are examined and the popular notion of Maitland as an anglophile politique rejected in favour of an image more in keeping with the new evidence uncovered during the course of this research. The image of Maitland as Scotland's Machiavelli is refined. The crude image of Maitland as a Machiavelian atheist and chameleon is rejected. Instead, the notion of Maitland as a sophisticated political scientist, thoroughly acquainted with the principles of the Discourses and The Prince and much else besides and driven by an over-riding regard for the commonweal is promoted.

CHAPTER ONE

MAITLAND AND THE GOVERNMENT

Maitland's appointment as 'oure souverane lord and ladies secretare and keipar of all thair signets all the dayis of his life' on 4 December 1558, following the death of David Paniter, bishop of Ross, was the single, most important development in his remarkable career.¹ It was the solid and prominent base of the secretariat, one of the chief executive offices of state, that enabled him to play such a major role in almost all the dramatic domestic issues and intrigues which so conspicuously coloured his years of office. To a large extent, it was also responsible for Maitland's keen awareness of the wider, European dimension in which Scotland's affairs were consistently cast during his fifteen-year tenure of office. The management of foreign policy - traditionally the main aspect of the Secretary's craft - ensured Maitland always kept a watchful eye over events outwith Scotland's borders and provided his entrée to the turbulent stage of European politics. Maitland's Secretariat holds the key to an accurate understanding of his career and it is remarkable that earlier works on Maitland have made only passing mention to it, making no attempt to define the office or to assess the extent of its responsibilities.² This chapter will attempt to re-dress that deficiency by tracing the development and importance of the office and assessing Maitland's role in the government of Scotland. It is a quest that necessarily involves a discussion of the provenance and standing of the Maitland family in Scottish society, which, it is hoped, will provide a useful introduction to this study of Maitland's career.

The significance of the office of Secretary in sixteenth-century government has long since been acknowledged by historians. The century has been characterised as the 'age of the council and of the secretary' whilst Professor Elton refers to the Secretary as simply the keystone of the government at this time.³ Certainly in Tudor England, the spectre if not the actual impact of men of the calibre of Stephen Gardiner, Thomas Cromwell, William and Robert Cecil and Francis Walsingham give a

spectacular and glamorous notion of the importance of the office. Similarly, the careers of the Pérez brothers in Spain and the de l'Aubespine family in France testify to the wider European significance of the office. Given this acknowledged importance it is regrettable that so little has been written concerning the nature and history of the Scottish Secretariat. It is, however, generally reckoned that it is closely analogous to its English counterpart.⁴ This comparison, while not being completely accurate is nonetheless worth pursuing and provides a good starting point for a brief investigation into the nature of the Scottish Secretariat at the time of Maitland's appointment.

The Development of the Scottish Secretariat

In both countries the office developed gradually out of the royal household and, from being virtually synonymous with the office of the keeper of the privy seal, grew into a much more important and independent office in its own right.⁵ The earliest mention of the office occurs in 1360 when Robert of Dumbarton, elsewhere termed King's clerk, is termed Secretary.⁶ The very close association with and the gradual move away from the office is well charted in R K Hannay's Early History of the Scottish Signet.⁷ It appears that the Scots were some fifty years behind the English in this development and it is in the early fifteenth-century that it becomes more common to find the Scots Secretary and Keeper of the Privy Seal listed separately in sederunts and exchequer rolls. From 8 June 1444, following the temporary recombination of the offices in the illustrious personage of William Turnbull, the offices were never held jointly again.⁸ That a very close association between the offices continued has been emphasised by the most recent study on Cardinal Beaton. This study also highlighted the need for a good working relationship between the royal administrators, when much 'business arrived in the privy seal office from that of the secretary and that a good deal of it passed on to that of the chancellor'.⁹

While Beaton as Keeper of the Privy Seal took official precedence over the Secretary, who was keeper of the signet - the Secretary was actually put in possession of his office by the symbolic delivery of

the signet to him - in practice, the importance of the office of Keeper waned as that of the Secretary and the signet grew.¹⁰ By 1538, such was the growth of business in the council and the Court of Session that the signet was involved in, that quite apart from his actual deputies, the Secretary had a small legion of assistants including four chief clerks to the signet engaged under his direct supervision.¹¹ During Maitland's tenure the office of keeper seemed to be in his gift. The appointments of Maitland's father, Sir Richard, as Keeper of the Privy Seal in 1562 and, on his resignation in 1567 of Maitland's younger brother, John, suggest this as well as underlining the close relationship between the two offices.¹² A further proof of the decline in importance of the privy seal was the relegation in 1596 of Maitland's nephew, Sir Richard Cockburn of Clerkington, from Secretary to Keeper of the Privy Seal as the Octavians' ascendancy was established.¹³ This was a complete reversal of the earlier trend in the fifteenth-century when that same move represented a clear promotion in the royal administration.¹⁴

The Responsibilities of the Office

The relatively advanced state of the English Secretariat is perhaps mirrored in Maitland's own time when the various responsibilities, scope and nature of the respective offices are considered. The best evidence for this comes from the pen of Cecil himself, or Lord Burghley as he was, in September 1590. Writing to Maitland's younger brother, John, Burghley recalled his:

good understanding with Lethington your elder brother when we were both secretaries ... for memory's sake the old affection survives towards you his brother, a secretary as he was, though now also Chancellor which I take to be the office of Principall Secretary.¹⁵

To Burghley, his own responsibilities were greater than that of any previous Scottish Secretary and only the combined offices of the Secretaryship and Chancellorship matched the English office of Secretary. Yet perhaps the gulf was not so wide as he perceived it to be. At any rate, it was not so wide as to prevent contemporary comparisons between Secretaries in the two countries.

In May 1569, the earl of Bothwell, languishing in captivity in Denmark, expressed the view that 'if the two secretaries in England and

Scotland were dead both realms would be better'.¹⁶ The common hatred of Bothwell was only one of the many things the English and Scottish Secretaries had in common. A more constructive comparison was offered in March 1565 by Paul de Foix, the French ambassador in London, to Guzman de Silva, his Spanish counterpart. He described Maitland as 'a sort of Scotch Cecil'.¹⁷ It is not difficult to see how easily the analogy could come to mind. Maitland later admitted to Cecil in 1565 that 'sence the first begynning of our acqwentence I have ever set you before my eyes as a patterne wysching I myght conforme myself and all my actions to the imitation of yours'.¹⁸ Throughout his career Maitland referred to Cecil in deferential, filial terms, professing himself to be Cecil's obedient son and looking up to him as a father figure.¹⁹ Most probably, De Foix's analogy referred to the similar personal abilities and skills of Maitland and Cecil rather than to their duties and responsibilities as Secretaries *per se*. Yet, if this is the case, the comparison is still pertinent because of the attention it draws to an issue which is fundamental to any discussion concerning the nature of the Secretariat. This is the recognition of the essentially personal nature of the office.

It is commonly accepted that it was the man who made the office, not the office the man.²⁰ This old axiom, however, must be qualified. It is impossible to believe that either Maitland or Cecil could have exerted the influence they did without their Secretarial office behind them and in this sense it was the office that made both Maitland and Cecil. It was, however, very much the case that the individual Secretary determined the nature, character and responsibilities of the office. There was not any fixed job description and there are good grounds for maintaining for Maitland as has been done for Cecil that his role as Secretary defied description.²¹ Secretaries appear to have enjoyed a certain amount of scope and initiative as far as direction of policy in a whole sphere of state affairs was concerned. As such, this lack of a precise job description tells as much by its absence as it could by its presence. There does, however, exist a most useful memo, written by Robert Beale in late 1595 which is probably the most comprehensive survey of the English Secretary's duties.²²

Beale, the brother-in-law of Francis Walsingham, cites an almost

exhaustive list of duties pertaining to the office and it is striking not only how many of these could be ascribed to Maitland but how many more could be added. For example, Maitland could have claimed, if not executive responsibility for, then at least a significant degree of involvement in border matters. A good deal of his correspondence throughout his career is taken up with disputes between English and Scottish wardens and the borderers themselves.²³ As far as financial policy was concerned, Maitland in keeping with many of his predecessors in the post acted as an auditor of the royal accounts.²⁴ Various aspects of mercantile activity, particularly overseas trade also figure prominently in Maitland's correspondence.²⁵ In ecclesiastical affairs, in both pre- and post- Reformation Scotland, the Secretary played an important role. Prior to the Reformation, the Secretary was closely involved with papal negotiations relating to such matters as the succession to benefices, while the key role Maitland played in ushering in the religious settlement of 1560 and then defending as Mary's minister, her right to worship as she wished, is well chronicled.²⁶ Maitland played a prominent role in the evolution and administration of the thirds of benefices settlement whilst his prominence in the General Assembly - along with several other leading members of the privy council - was a striking feature of the developing Kirk.²⁷

It was, however, in his influence over foreign policy that Maitland had most in common with his English counterpart. He was employed by Mary of Guise on missions to the courts of Mary and Elizabeth Tudor and it was Maitland, present at the court of Henry II at the conclusion of the Cateau-Cambr sis settlement, who obtained Francis and Mary's ratification of the recently concluded Anglo-Scottish peace.²⁸ Maitland's continued management of foreign policy under Mary Stewart is a major part of this thesis and it is perhaps sufficient to note here that it was a mark of his fall from Mary's favour in mid 1565-6 that control over foreign policy was taken out of his hands.²⁹ Maitland was no longer entrusted with missions to England as Mary followed an alternative foreign policy concentrating on the pursuit of a papal subsidy.

There were of course many other responsibilities relating directly to the privy council, 'the supreme executive authority below the Crown,

with a general political competence that allowed it to intervene in almost any area of government'.³⁰ A royal decree of 1546 had made the Secretary's attendance at all meetings of the privy council mandatory. This seems to have been simply a confirmation of a long-established practice but it does give an indication of the growing importance of the office by the time of Maitland's tenure. Maitland's record of attendance at the council, which dealt with a host of business, public and private, administrative and judicial was exemplary. The rare occasions when he was not present in the council coincided with his employment elsewhere on other Secretarial business.³² Unlike England it is not clear whether the Secretary prepared the agenda for the council but given that the council was known to meet in the Secretary's chambers it is possible that he did.³³ There may of course have been no established practice for this. The Scottish court and privy council appears, on the whole, to lack the rigidity of its English counterpart and because there were times when Maitland simply was not present in the council he cannot have monopolised the preparation of agendas.³⁴ Yet during his tenure of the office, by a rough process of elimination, it is easier to imagine the industrious Maitland holding this responsibility than anyone else. He is certainly a more plausible candidate than the noble Chancellor, who in the case of the fourth earl of Huntly was a very remote one as well.³⁵

Similarly, the exact parliamentary responsibilities of the Secretary are not clear. It was not until 1567 that the Secretary, together with the other officers of state received membership of parliament as a distinct category.³⁶ Despite this uncertainty, it is clear that Maitland enjoyed a prominent parliamentary career. He seems to have taken over the Chancellor's responsibilities in parliament, acting as Speaker or harangue-maker on three separate occasions, in 1560, 1564 and 1567.³⁷ This in turn draws attention to a striking feature of Maitland's Secretariat - the lack of a dominant, ecclesiastical Chancellor, which for centuries had been such a common feature of Scottish political life. Maitland took advantage of the lack of sympathy Chancellor Huntly felt, both for the Congregation and then for Mary on her return, to strengthen his influence. Morton, Huntly's successor, displayed a marked reluctance to perform in public at this time. His preference for being

the power behind the throne rather than in front of it arguably continued until 1572 when he finally became Regent; it was certainly evident in 1564 when Maitland delivered his parliamentary oration in favour of the Lennox restitution: 'having hir majesteis commandment to supply my lord chancellaris place being presentlie as ye see diseasit'.³⁸ The genuineness of Morton's indisposition was suspected, while in 1567, although Morton was again present it was the Secretary and not the Chancellor who addressed the parliament.³⁹ This informal extension of the Secretary's responsibilities provides an interesting precursor to John Maitland's later combination of the offices of Secretary and Chancellor under James VI.⁴⁰ As well as on occasion, helping to assemble the business of the parliament, Maitland was also part of several parliamentary commissions, as was his father, Sir Richard, the Keeper of the Privy Seal.⁴¹ The most important of these was the committee to interpret the Law of Oblivion, on which Maitland sat five times.⁴²

Maitland's Predecessors In The Office

Clearly, during Maitland's tenure the Scots' Secretariat was on a close par with its English counterpart. Yet the duties ascribed to Maitland could easily be ascribed, although not to the same extent, to many of his predecessors. Even in its embryonic stages, the position of Secretary commanded some status. Secretaries were not appointed carelessly. It would appear that it was never given as a first appointment in the royal service.⁴³ Even in the fourteenth century, one is struck by the consistently high calibre of the men associated with the office. Up until the mid-fifteenth century though, the office was clearly a useful stepping stone to positions of greater influence. The appointments of former Secretaries John Carrick, Duncan Petit, John Cameron and George Schoriswood to the position of Chancellor illustrates this point.⁴⁴ Similarly, the career of Bishop William Turnbull, humanist founder of Glasgow University bears the point out of earlier Secretaries exerting great influence in other spheres.⁴⁵

Turnbull's career, draws attention to the strong tradition of humanist influence that has been held to be a hallmark of the developing Secretariat.⁴⁶ This humanist influence has been dated from

Turnbull through to Archibald Whitelaw and Patrick Paniter but can be stretched to include later secretaries such as Thomas Erskine, David Paniter and Maitland himself.⁴⁷ Archibald Whitelaw personifies this humanist tradition: in 1437 a determinant of St Andrews; he was awarded his MA in 1439 before moving on to Cologne University in the 1440's where William Elphinstone was a student under him.⁴⁸ In 1454 he was on the St Andrews Faculty before being appointed tutor to James III.⁴⁹ His Oratio Scotorum ad Regem Ricardum Tertium at Nottingham in 1483 is generally reckoned to be the earliest extant piece of extended humanist prose to be composed by a Scot, mentioning as it does Cicero four times, Statius three, Virgil five, Seneca, Livy and Sallust once each.⁵⁰

Quite apart from these academic achievements, Whitelaw is significant among pre-Maitland Secretaries for the sheer length of his term of office; thirty-one years. It was in 1462 that he was appointed Secretary by Mary of Gueldres, a post he was to hold until 1493.⁵¹ Whitelaw has, however, been depicted as the most boring man in the fifteenth century and the Oratio as the only example of 'his emergence from the relative obscurity, routine and drudgery of his position.'⁵² This may be true but as far as the Secretariat is concerned, Whitelaw's years - unspectacular though they were - count among the most significant for the office. The vast experience of Whitelaw, 'the perfect civil servant', established the Secretariat as an integral part of the royal administration. By the time he retired to his highly impressive library in 1493 he had laid the foundation which was to make possible the more spectacular achievements of his successors.⁵³

Patrick Paniter, Secretary from 1506, was able to capitalise on Whitelaw's groundwork.⁵⁴ Far more ambitious than Whitelaw, Paniter successfully realised the potential which the post offered as a powerful influence on royal policy, during a tenure that could not, by any stretch of the imagination be described as drudgeline or routine. Paniter provides a clear illustration of the influence of the Secretary and also of the benefits of loyal service to the crown. He received a great number of benefices through his favour with James IV, including Fetteresso, the vicarage of Kilmany, the chancellorship of Dunkeld, the archdeaconry of Moray, the rectory of Tannadice and the abbey of Cambuskenneth.⁵⁵ He also maintained the tradition of superbly erudite

Secretaries, having studied at Montaigu alongside Erasmus, John Major, George Dundas and Hector Boece. Paniter also followed in Whitelaw's footsteps as a royal tutor, being entrusted with the education of both Alexander and James Stewart.⁵⁶

The Letters of James IV greatly illumine the extent of the Secretary's sphere of influence.⁵⁷ It is obvious from this vast collection of royal correspondence and actually attested to by Nicholas West, Henry VIII's ambassador to Scotland, that 'the secretary doothe all with his maister'.⁵⁸ Paniter has been termed a 'master of the secretary's craft'. He could:

with equal facility, with an equal air of conviction turn a graceful compliment to a foreign princess, put off the demands of an importunate ally with expressions of deep affection which seeming to promise everything promised nothing, throw the cloak of piety over a peculiarly twisted simoniacal transaction or recite the grievances of merchant or mariner unaccountably thrown into some foreign prison or port.⁵⁹

The same could be said for many other Scottish Secretaries.

The growth of the importance of the Secretary's position is well testified by a number of incidents. In 1511, a letter of James IV urged Pope Julius II not to give credence to any requests for ecclesiastical preferment that did not bear Paniter's signature as well as his own.⁶⁰ His major role in foreign policy is perhaps best illustrated by his part in the Treaty of Rouen in 1517.⁶¹ His efforts at Rouen also show that rumours of his death at the battle of Flodden in 1513 have been greatly exaggerated.⁶² Paniter did direct the Scots artillery at the battle but escaped unharmed. After Flodden he vacillated between the Queen Mother and Albany with the result that both parties sought to depose him.⁶³ Clearly by 1513 and particularly during a regency it had become a political liability to have a Secretary who did not lend full-hearted support to the regime. That Paniter was fully restored to Albany's confidence is clear from his role in the Treaty of Rouen but later political casualties of the Secretariat, such as Thomas Erskine and Henry Balnaves were not to be so fortunate.

One further aspect of the Secretariat that comes to the fore during Paniter's tenure is the role played by assistant secretaries. Paniter's heavy involvement in foreign affairs necessitated long absences from Scotland. He was ably assisted by Laurence Telfer, who signed the royal

correspondence during his absence abroad and continued to do so after his death.⁶⁴ Telfer held the right sort of credentials for the post, being later described as 'a man distinguished in Scotland for erudition, experience of affairs and outstanding ability' and by Buchanan as 'an honest and learned man'.⁶⁵ The employment of assistants to the Secretary would appear to have been such a well-established practice, that from Thomas Erskine's appointment in 1524, the capacity of the Secretary to appoint his own deputies formed an integral part of his commission. The commissions of Erskine, Paniter and Maitland all made the provision for the Secretary 'to mak deputis ane or maa under him in the said office for exercising of the samyn in his absence'.⁶⁶ It is not always clear who these assistants were but that they were at various times employed seems certain.

Sir Thomas Erskine's tenure is the next - in chronological terms at least - which provides useful information concerning the nature of the office. He followed the rather brief tenures of Patrick Hepburn and Thomas Hay and is significant as the first lay Secretary for over a century.⁶⁷ In this respect, coupled with his similar social status as a laird, Erskine makes an interesting forerunner to Maitland. He undoubtedly possessed the sound intellectual provenance that had come to be associated with the office. He was educated at Pavia and was later described by the Imperial ambassador as 'a wise man reported to have a great share in the affairs of Scotland'.⁶⁸ Erskine survived the turbulent years of James' minority, being originally commissioned by Margaret and Arran and confirmed as Secretary by Angus to emerge as one of the key figures of James' personal reign.⁶⁹ Erskine personified James V's reliance on minor lairds in his administration, which was further demonstrated by the appointments of Adam Otterburn as Lord Advocate, Robert Barton as Treasurer and Comptroller, and Sir James Colville of East Wemyss and David Wood of Craig.⁷⁰

Just as The Letters of James IV shed light on the intense activity of Patrick Paniter as Secretary, The letters of James V and the Acts of the Lords in Council give valuable testament to the continued development of the post under Erskine.⁷¹ He was very much involved in this impressively diverse correspondence which reveals that foreign policy, papal negotiations, overseas trade and the more mundane matters

of law and order all came under his auspices. Along with Cardinal Beaton, Erskine was heavily involved in James' attempts to secure a foreign bride whilst Erskine's Italian experiences have been held to be vital in the establishment of the College of Justice in 1532, arguably the most outstanding achievement of James V's reign.⁷² It was certainly the single most important development, responsible both for the growth in importance of the office of Secretary and the amount of business performed by the Secretariat. For the College was serviced by the writers and clerks to the signet who were all in turn responsible to the Secretary.⁷³ These appointments were in the gift of the Secretary, the numbers of which had become so great, as to necessitate the foundation of the Society of Writers to the Signet in 1594.⁷⁴ With this greatly increased responsibility it is hardly surprising that the Secretary superseded the Keeper of the Privy Seal in importance. Although at its inception in 1532, the Secretary was not a senator of the College of Justice, his free access to their deliberations was soon found to be essential and Erskine was duly appointed a Lord of Session in 1533.⁷⁵ All the future sixteenth-century Secretaries, Henry Balnaves, Maitland, Robert Pitcairn, John Maitland, Richard Clerkington, Balcarres and Balmerino with the exception of David Paniter were Lords of Session.⁷⁶ While Maitland's own attendance at the Court of Session was not particularly impressive it was not uncommon for him to attend meetings of the privy council and the Court of Session on the same day.⁷⁷

Erskine's tenure sheds further light on the role of assistant secretaries and also the possible rewards of faithful service to the Crown. It was Erskine who was entrusted to secure for Laurence Telfer the benefice of St. Ninians in the parish kirk of Musselburgh in 1533. According to Erskine, Telfer was a 'faithful servant of James IV as he has been of James V' as well as a very good personal friend of his own.⁷⁸ Erskine appears to have been served by several assistants, including James Strachan, who was styled 'a canon of Aberdeen and one of the royal secretaries'.⁷⁹ Strachan was employed in such a capacity for a number of years and it was he who was styled Secretary at the first recorded meeting of Mary's privy council in 1561 when Maitland was in embassy at the court of Elizabeth.⁸⁰ In 1537, Strachan was sent

to Rome to gain the Priory of St Andrews for the seven-year old, bastard James Stewart, the future Regent. It was in a way not envisaged by James V that his son fulfilled his promise 'some day to be should need arise a defender of the Christian faith'.⁸¹ The infant prior's future conduct cannot have pleased Strachan, one of the few Catholic clergymen to make a positive stand for their faith during the Reformation crisis. Along with John Leslie, Patrick Myreton and Alexander Anderson, Strachan gave a bold testimony of his faith before Knox, Willock and Goodman in January 1561.⁸²

Erskine himself gained so spectacularly from his favour with James, in terms of influence and lands in Angus that the local balance of power was transformed at the expense of the traditional arbiters of power Crawford, Gray and Glamis.⁸³ It was hardly surprising that Erskine was one of the earliest casualties of the new regime following the death of James V. A letter from the Governor Arran dated 10 January 1543 addressed Erskine as Secretary but some ten days later David Paniter had received his commission to act as Secretary.⁸⁴ Henry Balnaves briefly held the office in tandem with Paniter before becoming another political casualty of Arran, although not before he had helped introduce the parliamentary legislation permitting the reading of the Bible in the vernacular. On recovering from his so called 'godly fit' Balnaves was decisively dropped by Arran.⁸⁵

David Paniter's career as Secretary would be of interest if only because he is Maitland's direct predecessor in the post. As it is, his Secretariat provided a continuation of the consistent development of the post discernible throughout the reigns of James III, IV and V. Paniter's origins are not precisely clear but the strongest evidence points to him being an illegitimate son of the former Secretary Patrick Paniter. Patrick apparently received papers of legitimation for David in 1513.⁸⁶ This relationship provides the first, albeit indirect associations of nepotism with the office, which was very much a feature of the Secretariat in France, Spain, England and Scotland in Maitland's time.

What is not in any doubt is that Paniter possessed the impressive intellectual provenance that had come to be associated with the office. Educated at Paris in 1526, he was a humanist companion of Buchanan,

with whom he remained friends for many years.⁸⁷ In 1545, he invited Buchanan to dinner in Paris and was keen to hear him in lecture in Greek but in later years, Buchanan - as he did to so many of his erstwhile friends - denounced Paniter.⁸⁸ His abilities, however, are very much in evidence in the Epistolae Regum Scotorum, the second volume of which is reckoned to be almost entirely his own work and has won great praise. Ruddiman claimed that they could only have been written by 'a man imbued with elegant learning and also trained in the maxims of political wisdom.'⁸⁹

Like Maitland, who also fell foul of Buchanan after an earlier friendship, Paniter belongs to that less than exclusive band who fell foul of the pen of John Knox. Knox, gives a good insight to Paniter's service to the Governor and later to Mary of Guise. He recalled the high hopes of the godly on Paniter's arrival back in Scotland along with the then Abbot of Paisley in April 1543:

For it was constantly affirmed of some that without delay the one and the other would occupy the pulpit and truly preach Christ Jesus. But few days disclosed their hypocrisy, for what terrors, what promises or what enchanting boxes they brought from France the common people knew not.⁹⁰

Knox was to be bitterly disappointed and he later blamed Paniter as one of those responsible for Arran's speedy recovery from his Godly fit and for the fall from influence of such godly men as Henry Balnaves, Thomas Ballantyne, Sir David Lyndsay and Kirkcaldy of Grange.⁹¹ By the time of his death Paniter had degenerated from a man of great promise into a 'belly God' and 'Caiaphas' figure who died 'eating and drinking which along with the rest that there upon depends was the pastime of his life'.⁹²

There was, however, more to the life of David Paniter than eating and drinking. He was employed in the service of James V, being styled in 1534 'our daly servitour' and enjoyed royal support in gaining several benefices.⁹³ At various times he was the vicar of Carstairs, the rector of Kynell, the commendator of St Mary's Isle and Abbot of Cambuskenneth before finally being appointed to the Bishopric of Ross.⁹⁴ While it was in foreign affairs that Paniter was chiefly employed, it was during his tenure that it was ordained in 1546 that the Secretary should always be present at meetings of the privy council. His involvement in foreign affairs was, however, immense. He

was sent to France in 1542 and 1543; in May 1545 he was sent to France, Germany and Hungary to renew the Burgundian alliance and was later sent as an envoy to both England and France during the Castilian crisis. In 1550 he was Scotland's representative at the Treaty of Boulogne.⁹⁵

His career as both ambassador overseas and Secretary provides an interesting barometrical guide to the fortunes both international and domestic of the House of Hamilton. Paniter probably owed his appointment to his strong Hamilton connections and throughout his career he seems to have been a loyal supporter of the Hamilton interest.⁹⁶ He was described as the 'governor's creature' when passing in embassy to London and France during the Castilian crisis but Paniter was no blind follower of the Hamilton interest and coped admirably with the changes of fortune wrought by the death of Francis I and the resultant Guisard ascendancy in France and Scotland.⁹⁷ He was able to play a vital role in the relatively smooth transition of power from Arran to the Dowager for which the Abbey l'Abyse in Poitou was apparently his reward.⁹⁸ Paniter's continued commitment to the Hamilton cause is, however, demonstrated by his continued efforts to find a suitable marriage for the Earl of Arran after 1554, whilst reciprocally, Paniter's French interests seem to have been well served by Rassateau, the Lieutenant General of Châtelherault.⁹⁹ His continuation as Secretary to the Dowager, despite considering himself 'too old, heavy in mind and body, ill suited for the work he once did' was a measure of her political acumen.¹⁰⁰ She clearly perceived the need for a measure of continuity and experience in her government which provides further evidence, if it were needed, of the inaccuracy of Knox's memorable bovine analogy of a crown on Mary of Guise's head being, 'as seemly a sight as to put a saddle on the back of an unrewly cow'.¹⁰¹

Maitland's Standing in Scottish Society

The impressive careers of Maitland's predecessors, bear witness to the established significance of the post by the time of his appointment. An individual appointed Secretary in Scotland - as in most European countries at this time - had the potential, given the almost constant association with high matters of state, to exert great influence in the

government of the day. The power vested in the Secretariat draws attention to the pertinent issue of Maitland's status in society. How did the son of the laird of Lethington come to occupy such a position of power? This is a question that has aroused much debate and one that raises important issues concerning the nature of Scottish society and the degree of social mobility available at this time.

Much has been made of the notion of Maitland as one of the species of 'new men', the type who seem to proliferate in Tudor England and are at the heart of the 'new men for old' debate in Scottish history.¹⁰² Maitland has been held to be representative of 'the new highly political class of lairds surrounding the capital' and in certain respects he exemplifies the rise of the lairds and the 'middling sort' generally.¹⁰³ There can be no question that the Maitland family were a new, rising force and were yet to achieve their greatest days. The poetic advice Maitland was given by his father in The Laird of Lethingtounes Counsell To His Son Beand In The Court endorses this view, with its cautionary reminder that 'To governe all and reull be nocht our bent'.¹⁰⁴ Those words were, however, a more accurate appraisal of the Maitlands' station in life in the mid-sixteenth century than by the end of it. By then both William and his younger brother John had shown that their 'bent' was precisely to 'governe all and reull'. John Maitland had been elevated to the peerage in 1590 and in 1624 his son John was created the first earl of Lauderdale.¹⁰⁵ By this time too the Maitland family had established itself as one of the great legal dynasties that so dominate seventeenth-century Scottish society.¹⁰⁶ In this sense the Maitland family in the sixteenth-century are antecedents not only of the rise of the lairds but also of the legal profession.

This ennoblement of the Maitland family enables yet another parallel to be drawn between the English Secretariat and the Scottish, in particular to the elevation of William Cecil to the peerage. Both were classic examples of the development of a *noblesse de robe*. It should, however, be pointed out that Cecil's origins were a good deal more obscure than Maitland's.¹⁰⁷ Although it is right to see Maitland as representative of the rise of 'new men' it would be wrong to get carried away with this notion.¹⁰⁸ Maitland was not low-born. Disparaging references to his social status are sparse. Despite Huntly

and Argyll's memorable challenge to meet Maitland in armed combat, 'albeit Lethington be neither of quality nor blude equal unto us' and the image of John Maitland as a 'start-up', the Maitland family origins were not ignominious.¹⁰⁹ They can be traced back to the twelfth century and the Anglo-Norman era of settlement in Scotland.¹¹⁰ The name Maitland, or, in its earlier forms Mautalent or Maltalent has been identified as typically Norman and translates as evil genius.¹¹¹ This is rather ironic when it is recalled that many of Maitland's contemporaries vituperatively held him to be just that: he is Bannatyne's and many other propagandists Michel Wylie and, Buchanan's Chameleon, capable of everything bar bravery and loyalty - virtues symbolised by the only colours the chameleon is incapable of camouflaging itself in, red and white.¹¹² To these and to many others, William Maitland of Lethington was truly a Maitland by nature as well as by name.

The founder of the Maitland family of Lethington was the thirteenth century knight, Sir Richard Maitland, whose heroic exploits - mythical or not - against the invading English armies in the Wars of Independence earned him a place in Gavin Douglas' Palice of Honour.¹¹³ The Palice of Honour was itself a product of the sixteenth-century revival of the cult of chivalry.¹¹⁴ From the early fourteenth century the Maitlands were allied in marriage to a number of impressive noble families including the Dunbars earls of March, the Keiths, earls Marischal of Scotland, the Scrymgeours, Constables of Dundee and perhaps of greatest significance for Maitland's own time, the lords of Seton.¹¹⁵ Maitland's father proudly proclaimed himself a 'docteris son' of the House of Seton and the closeness of this connection was shown by his History of the House of Seton.¹¹⁶ The involvement of Maitland's ancestors in events of major national importance can also be shown. In 1346, Sir Robert Maitland of Lethington was killed at the battle of Neville's Cross whilst in 1424, Robert Maitland was ransomed for 400 merks as a hostage for James I.¹¹⁷ The respective values placed on the hostages in 1424 gives a good indication of the status of the Maitland family. While clearly some way behind great nobles such as Athol who was ransomed at 1200 merks, Robert Maitland was on a par with Lords Ruthven, Livingston and Calder who were all rated at 400 merks.¹¹⁸ The military traditions of the family were upheld by Maitland's grandfather

who was one of the many to fall at the battle of Flodden in 1513.¹¹⁹ While not going so far as the anonymous sixteenth century poem In Prayse of Lethington when it asks:

Quha dois not knaw the Maitland Bluid
The best in all this land
In quilk sumtyme the honour stuid
And worship of Scotland?

The Maitland family, were, by the sixteenth century clearly a well established force in East Lothian and Scottish society.¹²⁰

It must also be stated that Maitland's appointment as Secretary represented no great break with tradition. As well as the argument that 'there was nothing less new than new and lesser men in royal government', the careers of Maitland's predecessors, Thomas Erskine, the son of the fourth laird of Dun, and the rather more short-lived Secretariat of Henry Balnaves of Halhill show that Maitland was an example of a trend of employment that was at the very least some thirty-years old.¹²¹ The dangers, however, of over-excessive use of lesser men in government had been shown in 1488, whilst Erskine's untimely fall from power in 1543 and the difficulties John Maitland later encountered show that the 'new man' tag was still a dangerous one.¹²² It was perhaps a tribute to Maitland's skill that he successfully avoided being depicted as a *parvenu* or 'start-up'. It was possibly because he was aware of the dangers of such an image in what was essentially a conservative society that Maitland so frequently emphasised and appealed to traditional notions of the role of the nobility and the commonweal. His insistence on the importance of rank, tradition, quality, degree and blood were particularly evident during the post 1570 period of the civil war.¹²³ Maitland's ultimate allegiance in the civil war adds a rather paradoxical perspective to Sir Henry Killigrew's analysis of Scottish society and the reason for the King's party's victory in 1573: 'Methinks I see the nobleman's great credit decay in this country and the barons, boroughs and such like take more upon them'.¹²⁴ It is ironic that Killigrew was not, in this instance, referring to Maitland, who is sometimes held to be the 'new man' personified, and who had definitely taken 'more upon' himself than most.

The Circumstances of Maitland's Appointment

Although it was December 1558 when Maitland was appointed Secretary it was some years before this that he was appointed assistant to David Paniter. This assistantship was his major breakthrough into high political circles and his successful acquittal of the task virtually assured him of the post on Paniter's death. The circumstances of Maitland's appointment as assistant to Paniter, and particularly the fact that the nobility appear to have lobbied Mary of Guise on his behalf, show that both in terms of his status and ability Maitland was held to be fit to hold the post.¹²⁵ In this sense Maitland's appointment belonged to the ordinary rather than extraordinary scheme of things. Most of the information regarding Maitland's assistantship stems from the not impartial pen of his son by Mary Fleming, James. Although his Narrative needs to be treated cautiously, most of its leading propositions concerning this incident can be corroborated by Buchanan and Paniter's own correspondence.¹²⁶

The Narrative relates how David Paniter, when Maitland was aged twenty-six, became 'extreme corpulent and unable of bodie and extreme seikle'. It goes on to detail the Dowager's regret at the loss of such an able servant and her decision, because of the lack of a suitable Scots candidate, to appoint a Frenchman to the post. It was at this juncture that her council reminded her that there were Scots, 'some of qualitie and birth fit and capable of that or a better place and able if thai were imployit to discharge that place no less than anie that had injoyit it before'.¹²⁷ Buchanan relates that it was the particular efforts of his former pupil, Gilbert, third earl of Cassillis and then Treasurer and Lord James his future patron, that secured Maitland's appointment.¹²⁸ The Narrative emphasises more the part played by Paniter along with Cassillis in persuading the Regent to consider Maitland, being 'of ane ancient and verye well deserving familie and of great expectacioun everye waye'. The same authority also states that Maitland magnanimously refused the post 'be reason it was ane uther man his place and office' but 'being earnestly desyrit als wel by the Regent, nobles and Panter' he accepted. In the best hagiographical traditions, however, the Narrative claims that Maitland did not take any of the fees or profits from the office until after Paniter's death.¹²⁹

Undoubtedly, the movements of Maitland's father, Sir Richard, in influential circles in and around the court greatly enhanced his son's prospects of preferment and enabled him to be so strongly recommended for the post as Paniter's assistant. By the 1550s, Sir Richard, the celebrated poet and lawyer, could boast useful connections. While it is true that Sir Richard benefited enormously from his son's future prominence - his appointment as Keeper of the Privy Seal can be put down to this - the esteem in which he was held, ensured that the traditional pattern of the father paving the way for the son and easing his passage to court was not entirely lost. James VI spoke in 1584 of Sir Richard's loyal service to 'his grandsir, goodsir, goodame, mother and himself' although it is not precisely clear what favour he enjoyed with James V.¹³⁰ The claim that he was appointed a Lord of Session as early as 1533 is to be doubted.¹³¹ The strongest authority states that he was admitted as an extraordinary Lord in 1551 and an ordinary Lord in 1561.¹³² He had, however, acted as an assize judge as early as 1525 and this 'docteris son' of the house of Seton was certainly heavily employed by Mary of Guise and the Governor Arran.¹³³ In 1552 he had been employed along with the Earl of Cassillis and Drumlanrig as a commissioner for the Division of the Debatable Land and, along with Cassillis and Paniter was an auditor of the royal accounts for the period October 1554 to October 1555.¹³⁴ In 1559 he signed the Treaty of Upsettlington and was regarded by Sir Ralph Sadler as the 'wisest man' amongst the Scots commissioners.¹³⁵

Maitland's Academic Background

Not only was William Maitland's social status not inappropriate for the post, he was also able to maintain the tradition of academic excellence associated with the office. Probably educated at Haddington Grammar school, it is known for certain that he was educated at St Leonard's College in 1540 - where he may have been one of the many to imbibe of the Protestant 'well' - and Paris in 1542 respectively.¹³⁶ 1542 was a bumper year for Scots in Paris with over fifty Scots entering the university along with Maitland on 16 December 1542 including: Quintin Kennedy, the Catholic apologist; Kirkcaldy of Grange's younger brother, Thomas; Maitland's cousin, George, the future fifth lord of Seton; James

Hamilton, probably the future Bishop-elect of Argyll and half-brother of Châtelherault; Robert Pitcairn, Maitland's successor as Secretary and William Robertson, the future schoolmaster of Edinburgh who was to cause the reformers so much trouble.¹³⁷ Maitland was no doubt helped by the fact that his kinsman William Cranstoun, the staunchly Catholic, future Principal of St. Salvator's College was elected 'Scotus Rector' in 1542.¹³⁸ Given the acknowledged strength of the 'auld Parisiane kyndnes'¹³⁹ between the students which later often transcended theological differences, the importance of Maitland's years in Paris from a personal as well as an academic point of view should not be underestimated.

The recognition of Maitland's attendance at St. Andrews and Paris, however, gives only a minimal notion of the breadth and depth of his learning. It seems likely, although not certain, that he was educated elsewhere in Europe but his movements from 1542 until 1550 are unknown. Maitland was almost certainly familiar with Italian literature whilst the classical allusions which garnish his correspondence display his knowledge of Greek.¹⁴⁰ Less remarkable but essential for the acquittal of his Secretarial duties was his ability to 'commune weill' in Latin and French. Similarly, his ability to communicate perfectly in both English and Scots must have been a useful asset in the acquittal of both domestic and foreign policy.¹⁴¹ Quite apart from his linguistic abilities, Maitland, for a layman, was exceptionally well-equipped theologically. He was to prove a more than able opponent in debate with Knox on solid theological grounds, able to quote scriptural chapter and verse as well as the opinions of reformers such as Musculus, Melancthon, Bucer, Calvin and Luther.¹⁴² Philosophically, Maitland rejected the 'untractable discipline in the Stoickes' preferring instead to be 'a student in that schole where it is taught that wyse mens myndes must be ledde by probable reasons which doctrine the disciples of Plato and Aristotle have embraced'.¹⁴³ This same preference for flexible reasoning is evident in Maitland's regard for the practicality of the Roman 'jurisconsults' and their awareness that 'the cawses, tymes, places, persons, occasions, and other circumstances where the variacion of the leaste of all the circumstances wolde vary the whole decision'.¹⁴⁴ As well as being well acquainted with the classics,

Maitland was also familiar and comfortable with the 'new learning', as his friendship with the Italian Protestant and humanist client of the earl of Bedford, Pietro Bizarri shows.¹⁴⁵

Regrettably, no record of Maitland's library survives but it must have been an impressive collection. The absence of this information is made more frustrating by the frequent allusions to his genius by contemporaries and later commentators alike. Even Maitland's staunchest critics testify to his academic brilliance. To Elizabeth he was 'the flower of the wits of Scotland'.¹⁴⁶ To Buchanan, his most savage critic he was nonetheless a man 'of consummate ability'.¹⁴⁷ Calderwood refers to him as 'a man of rare witt',¹⁴⁸ whilst Spottiswoode relates that he was 'a man of deep wit, great experience and one whose counsels were held in that time for oracles'.¹⁴⁹ Robert Sempill, a bitter critic of Buchanan-like proportions seemed grudgingly to respect this 'scurvie scholar of Machiavelli's lair' and his ability to 'both quissil and cloik and his mouth full of meil'.¹⁵⁰

Maitland's Assistantship, 1554-58

The exact date of Maitland's appointment as Paniter's assistant is difficult to date precisely. It was, it is likely, sometime during December 1554, or early 1555 shortly after Paniter's return from France but Maitland's uncertain date of birth hinders exactitude on this point.¹⁵¹ The generally accepted date for Maitland's birth is 1528 and given that Maitland is found regularly receiving a royal pension from 1555-6 in the Treasurer's Accounts - being awarded £150 in September 1555 - and the Narrative claims Maitland was appointed when he was aged 26, it does seem that it took place sometime in late 1554.¹⁵² While this may have been the case, to accept Maitland's birth as 1528, means that he was only twelve years old when a student at St. Leonards, and only fourteen when he studied abroad in Paris. Even allowing for the fact that sixteenth-century university students were much younger than their modern counterparts, fourteen does seem to be a little too young for a boy to be embarking on the second phase of his university education.¹⁵³ Perhaps Maitland's date of birth should be put back a couple of years to 1526 but again this is supposition rather than fact.

More precise details of Maitland's assistantship have been

forthcoming from a most obscure source. An entry for 1597, in the 'Genealogies of the Families of Fife' reveals that on his appointment as assistant, Maitland became the first ever clerk to the council and gained immediate access to the privy council.¹⁵⁴ The brief entry is quoted in full below:

The Secretary of state has two deutes, the one is the clerk of the council of which the first was William Maitland, afterward Secretary, then John Johnston then Alexander Hay and now John Androw. They got 12 livres 10 shillings monethly from the Treasurer. The other depute to the chief Secretary was properly such and received from the secretary, 40 livres a year and from the Treasurer 60 livres, which furnished him paper, ink and waxe and he had the profit of the signet worth 50 livres. Both of them attend the court and have *bouche en courte*.

It is not clear whether Maitland ever became Paniter's chief deputy or remained clerk of the council until 1558, but it is obvious that his assistantship enabled him to gain vital experience of the royal administration and the opportunity to establish himself firmly in the Dowager's credit. Maitland did not waste the opportunity. By November 1557 it was reported that Maitland 'was great with the dowager'¹⁵⁵ and by 1559, Count de Feria reported to Philip II, that the 'common talk' in London was that Maitland ruled the Dowager 'body and soul'.¹⁵⁶

The Treasurer's Accounts of February 1555 reveal Maitland's involvement with the financial administration of the Crown. An entry details how two messengers were:

to pas throucht the haile northe with the Quenis grace misivis
to evir ilk lord laird bischope baron and brouchtis with letters
to charge thame to bring thair taxt as William Maitland gaif
information at the Quenis grace command.¹⁵⁷

Given Paniter's alleged involvement in the controversial tax proposal to raise a standing army this entry may have concerned that episode. This however is only speculation. A further entry in the June of the following year relates that Maitland was 'directed to pas to the wardenis of the eist marches of Ingland in ambastrie', which was possibly the first of many such missions throughout his career.¹⁵⁸ Several other episodes show Maitland's proximity to the heart of the Dowager's government. In 1557 he was involved with Mary of Guise's attempts to support the French war against Spain. According to the Narrative Maitland was sent by the Regent from Kelso to persuade the nobles to support the attempt of her Lieutenant, D'Oysel to besiege

Wark Castle. The mission was a complete failure and Maitland was apparently in some danger of his life from the anger of the nobility headed by Châtelherault, Huntly and Argyll who refused to obey their orders.¹⁵⁹ Maitland's continued credit with the Dowager was revealed by a letter of Lord Wharton dated 14 November 1557.¹⁶⁰ This letter detailed her anger at the refusal of Châtelherault, Huntly and Argyll to support the military offensive against England and her intention to be avenged by promoting the restitution of the Lennox family to Scotland. Interestingly and in some cases rather ironically, the letter records the support of Lord James, Glencairn, Kirkcaldy of Grange, the Bishop of Caithness, Seton, Craigmillar and Maitland for the scheme. This provides an early reminder that attitudes towards Lennox - as with so much else in Scotland - seldom remained constant.

Wharton's letter shows the disparate state of the Scottish nobility and it is striking to see so many later principal supporters of the Congregation at odds with each other at the time of the First Bond. Maitland's triumph in his later work for the Congregation was not only his securing of English aid but his ability to harness the damaging factionalism that was such a feature of Scottish political life in this period. Randolph's comment of April 1560 that 'I never saw in any country so many private quarells causing men that mortally hate the Frenche to keepe off' bears witness to the magnitude of Maitland's achievement in this respect.¹⁶¹ Incidentally, Wharton's letter also draws attention to some of the men with whom Maitland was to be associated for the rest of his life. Although not always in agreement with him, Maitland was often closely involved with his kinsman Seton, while Simon Preston of Craigmillar, who was related by marriage to Maitland, was to prove a most useful ally in the years ahead.¹⁶² It is also striking to see Maitland acting in concert with Lord James at this early date. This thesis will chart the development of their dynamic partnership and its collapse into bitter enmity. Perhaps most striking of all, however, is the sight of Maitland, at the onset of his political career acting in unison with Kirkcaldy of Grange, the man with whom he was to end his life in 1573.

One last episode which illustrates Maitland's favour with Mary of Guise was the attempted embassy to England and France in February 1558

with Yves de Rubay, another of the Dowager's chief advisers, in an effort to mediate a peace. This mission, however, was doomed to failure given Mary Tudor's festering anger over the loss of Calais and Maitland reached no further than London.¹⁶³ Maitland was later to allude to this mission when he recalled how he had worked for the unity of the realms in 'Queen Mary's time though frustrated'.¹⁶⁴ In view of his rising credit and diplomatic experience, it is surprising that Maitland was not chosen for the ill-fated commission which was sent to witness the marriage celebrations of Mary and Francis in April 1558, although the failure of his negotiations in London just two months earlier may have had something to do with this.¹⁶⁵ Maitland, however, was no doubt happy to keep the most conspicuous absentee from the wedding celebrations - the mother of the bride - company in Scotland and even more so when four of the commissioners failed to return alive.¹⁶⁶ Through all this employment in the Dowager's service Maitland gained not only valuable experience but also, as the *Narrative* pointed out many 'private friends' in influential places. It can have occasioned little surprise when he was appointed Paniter's successor.¹⁶⁷

The Importance of the Court

The fact that Maitland's assistantship to Paniter not only gave him access to the council but also *bouche en courte* is a reminder that if the sixteenth century was the age of the council and the Secretary, it was also the age of the court. This has been emphasised in much recent research on the English court and many of the lessons learned from this hold true for Scotland.¹⁶⁸ This is particularly so given the recognition of the glittering renaissance court of Mary Stewart which developed the progress made by her forebears, and the acknowledged importance and size of the Queen's household.¹⁶⁹ One of the main consequences of this new research has been the blurring of previously clear-cut distinctions between the court and the council, and courtier and councillor.¹⁷⁰ It is not difficult to see why. In the early modern period, power and influence was vested in the monarchy and the most important fact of political life was access to the monarch 'who alone could fulfil or frustrate ambition'.¹⁷¹ That access was chiefly gained by presence at the court.¹⁷² In this sense the Secretary by virtue of

his *bouche en courte* held a clear geographical advantage over many of his contemporaries; he had access to the monarch in abundance. The business of the council in Scotland, as in England was conducted chiefly in chambers which were an integral part of the court.¹⁷³ It even appears that the council met in Maitland's own chamber, for in August 1565, Knox relates that he:

was commanded to come to the Council, where in the Secretary's chamber, were convened the earl of Atholl, the Lord Ruthven, the Secretary, the Justice-Clerk, with the Advocate. There passed along with the Minister a great number of the most apparent men of the Town.¹⁷⁴

As Secretary, Maitland, in common with the rest of the privy council, had to be able to operate in the twin spheres of court and council. Like any other subject seeking influence, a privy councillor had to be able to acquit himself well at court. Part of the reason for Maitland's success as Secretary in advising, formulating and executing policy was his easy familiarity with the renaissance ambience of the court. Maitland was a highly skilled courtier, equally at home in the stimulating, intellectual climate of the court and the more energetic, equine pursuits of hawking, hunting and running at the ring. Throughout his career Maitland took a full part in the masques and celebrations of the court and was also a card-playing companion of the Dowager.¹⁷⁵ That the distinction between courtier and councillor was obviously a fine one was emphasised by the contemporary denunciation of Maitland's brother John, as 'that great courtier'.¹⁷⁶ While there is no evidence that Maitland shared Robert Cecil's extremely courtly view of the relationship between the Secretary and the monarch as 'the mutual affection of two lovers undiscovered to their friends',¹⁷⁷ his constant access to the Queen must have necessitated a certain degree of intimacy. This personal, intimate nature of the office is perhaps highlighted by Maitland's almost constant presence on Mary's progresses throughout the realm. Wherever Mary went, more often than not Maitland went too. This was hardly surprising given Maitland's basic responsibility for drafting the royal correspondence.¹⁷⁸

Maitland was able to acquit himself so well at court because of the impressive cultural background of his family. The Maitlands of Lethington in the sixteenth century can unreservedly be described as a renaissance family. The credit for this lies chiefly through the

influence of his father, Sir Richard the respected judge, privy councillor, poet and family historian. It is only in recent times that Sir Richard's poetry has been rescued from the savage treatment of historians and literary critics alike and received the critical acclaim it deserves.¹⁷⁹ His poetry has long since been 'more quoted than appreciated' but has begun to be recognised for the skilful, subtle and artistic work that it is. Sir Richard Maitland was one of the greatest collectors of poetry, both English and Scots and was clearly influenced by the poets whose work he collected. The influences of Chaucer, Dunbar and Lyndsay are clearly discernible and it was probably from his father that Maitland inherited his own appreciation of Chaucer.¹⁸⁰ Sir Richard was as well able to follow the example of the classics such as Horace as he was to adapt to contemporary trends in literature.¹⁸¹ His religious lyric Pastyme With Godlie Cumpane was in keeping with the fashion best exemplified in the Gude and Godlie Ballatis of transforming secular works into a more sacred form. It has been argued however that 'none of the Godlie Ballatis' succeeds in this transformation as well as Sir Richard.¹⁸²

All Sir Richard's sons inherited his literary skills. Although Maitland, unlike his brothers John and Thomas did not - so far as it is known - publish any poetry or satirical pasquinades, his voluminous diplomatic correspondence is amongst the most skilful and brilliant of his day. Sir Richard has been acknowledged as a master of rhetoric and of the art of ironic understatement and those same traits are clearly identifiable in his son's correspondence from 1558 to 1573.¹⁸³ The literary efforts of Maitland's brothers are considered in a later chapter dealing with the propaganda of the civil war but perhaps at this point it is interesting to note that Thomas addressed his Latin justification of war against the Turks to his elder brother William.¹⁸⁴

The Erasmian-like religious tolerance of Sir Richard - which Maitland cannot but have been exposed to - was a useful preparation for life in the court of Mary Stewart, which provided a paradoxical Catholic focus for a Protestant country. In 1546, after accommodating George Wishart at Lethington shortly before his martyrdom, Knox described Sir Richard as 'ever civil albeit unpersuaded in religion' and it is clear that his sympathies were not with the reformers.¹⁸⁵ Sir

Richard, like his Catholic kinsmen the Setons had close connections with the constantly devout and virtuous Convent of St Catherine of Siena at Sciennes, outside Edinburgh. He did not join the Congregation and was strongly critical of the post-Reformation Church in his poetry.¹⁸⁶ Unlike his father, Maitland was no Catholic but despite the initial success Knox enjoyed in converting Maitland to Protestantism his religious convictions were hardly Knoxian either. It is not known whether Maitland was present when Wishart stayed at Lethington in 1546 but in 1555, at what could be termed a meeting of the privy kirk in the house of Erskine of Dun, in the company of John Willock, David Forrest and Robert Lockhart, Knox apparently persuaded Maitland of the sinfulness of his continued attendance at the Mass.¹⁸⁷ This thesis will show that the harmony of the privy kirk in 1555 was not an accurate portent for the future of the Knox-Maitland relationship. While the level of Maitland's religious tolerance was closely related to political circumstances, he did however, share his father's civility to those of different religious views. His relationship with Mary arguably shows this, as does his friendship with the many Catholics within his immediate family circle - such as the Somervilles and Setons as well as William Cranstoun, Principal of St Salvator's College - and those outside it such as Archbishop Beaton and Nicholas Sanders.¹⁸⁸ In these and in so many other intangible ways, the renaissance environment in which the Maitlands were raised must have greatly assisted the rise of the family in the court and government of Mary Stewart, renaissance Queen of Scots. It was also true of others in Mary's government in the 1560s. Sir John Bellenden of Auchnoule, her Justice-Clerk, belonged to a family which had strong links with the renaissance patronage of the court of James V.¹⁸⁹

Maitland, by virtue of his position as Secretary and as a Lord of Session, had access to and exerted great influence over the chief organs of government in Scotland: the privy council, parliament and the College of Justice. If the watchful eye Maitland kept over the General Assembly of the Kirk - it is known for certain that he attended six Assemblies - is added to the unquantifiable importance of his ready access to the Queen by virtue of his almost constant presence at the court, then the scope of Maitland's influence begins to emerge.¹⁹⁰ This

thesis will attempt to chart the development and use of that influence. The next chapter will show how during the Reformation crisis, Secretary Maitland was perfectly placed to play the role of double-agent at the expense of the Dowager and to the great benefit of the Congregation.

NOTES

- 1 RSS, v, pt. 1, 519.
- 2 J. Skelton, Maitland of Lethington and the Scotland of Mary Stuart 2 vols., (London, 1887) and E. Russell, Maitland of Lethington: the Minister of Mary Stuart (London, 1912) are the two major biographies of Maitland to date. Much more recently, W. Blake, William Maitland of Lethington 1528-73 (New York, 1990), whilst devoting a chapter to 'Maitland and the State' does not assess Maitland's position as Secretary.
- 3 J.M. Wormald, Mary Queen of Scots: A Study in Failure (London, 1988), 114; G.R.Elton, England Under the Tudors, (London, 1974), 409.
- 4 The best account of the development of the Scottish Secretary is R.K. Hannay, Early History of the Scottish Signet, (Edinburgh, 1936).
- 5 *ibid.*, 8-14; see also, F.M. Powicke and E.B. Fryde (eds.), Handbook of British Chronology (London, 1961), 185.
- 6 Hannay, *op.cit.*, 13 and ER, i, 519 and 545.
- 7 Hannay, *op.cit.*, 15-16.
- 8 *ibid.*, 16.
- 9 M.H.B. Sanderson, Cardinal of Scotland (Edinburgh, 1986), 52.
- 10 *ibid.*, 51; Hannay, *op.cit.*, 29-31; ADCP, 51 for delivery of the signet to the Secretary which appears to have been the standard practice since 1511.
- 11 Hannay, *op.cit.*, 30.
- 12 RSS, v, pt. i, 1174; vi, 3438.
- 13 HBC, 187.
- 14 *ibid.*, 186, 174-5 for the striking number of Secretaries who were promoted to the Privy Seal, with several going on to become Chancellor.
- 15 Warrender Papers, (ed.), A.I. Cameron, (SHS, 1931), ii, 14.
- 16 CSPF, ix, 71.
- 17 CSP Spanish, 1558-1567, 492.
- 18 PRO, SP 52.10.11.
- 19 These terms of reference are repeated throughout Maitland's long correspondence with Cecil: eg *ibid.*, and SP 52.7.28, SP 52.21.78.
- 20 F.M.G. Evans, The Principal Secretary of State, (Manchester, 1923), 1-9 and G.R. Elton, Tudor Revolution in Government, 126-7.
- 21 Read, Cecil, 121-22.
- 22 *ibid.*, 120-1.
- 23 References to Maitland's duties concerning the Borders are fairly common throughout CSP Scot: see i, 474-5, 487-8 and 591; also TA, x, 282.

- 24 TA, xi, 118; xii, 62; ER, xix, 228.
- 25 CSP Scot, ii, 82, 622; RPC, i, 280-2, 308-10. Maitland's prolonged suit for Archibald Graham also shows this CSP Scot, ii, 112, 431.
- 26 R.K. Hannay and D. Hay (ed) The Letters of James V, (1954) *passim* shows this. Maitland's role in the Reformation Parliament is clear from CSPF, iii, 218-221, which records his opening speech. For his defence of Mary's Mass, see John Knox's History of the Reformation in Scotland, (ed.) W.C. Dickinson, (Edinburgh, 1949), ii, 12 and 23-4.
- 27 For Maitland's role in the thirds of benefices settlement see *ibid.*, ii, 30, 329. His role and attendance at the General Assembly is noted in *ibid* ii, 103-4, 174 and in David Calderwood's History of the Kirk of Scotland (Wodrow Society, 1842-9), ii, 159, 193, 241, 252, 382.
- 28 CSPF, i, 222-3.
- 29 This is discussed in detail in my chapter 6 but see Papal Negs, (SHS, 1901), (ed.) by J.H. Pollen, sections vi and vii.
- 30 J.M. Goodare, 'Parliament and Society in Scotland 1560-1603' (Edinburgh Univ. PhD., 1989), 141.
- 31 RPC i 25.
- 32 Maitland is either styled *secretarius* or by his name in the RPC sederunts.
- 33 This is clear from Beale's memo in Read, Cecil, 120, and for the council meeting in Maitland's chambers see, Knox, History, ii, 159-60.
- 34 The more informal nature of the Scottish court has been noted in D.Starkey (ed.) The English Court, (London, 1987), 178-80.
- 35 Huntly had a good record of attendance in the council as Chancellor up until February 1562 but from that point he is conspicuous by his absence. RPC, i, 159-204.
- 36 APS, ii, 547.
- 37 For 1560 see CSPF, iii, 218-221; for 1564, Warrender Papers, i, 41-44; for 1567, his speech is quoted in full in, Skelton, Maitland, ii, 270-72.
- 38 Warrender Papers, i, 41-44.
- 39 Skelton, Maitland, ii, 270-2.
- 40 John Maitland held the two offices jointly from 1587-91, HBC, 187.
- 41 APS, ii, 536 and 544 for the Law of Oblivion commission and for the reform of St Andrews University, respectively: APS, iii, 25 for commission to investigate the jurisdiction of the Kirk.
- 42 PA 9/1 f189-194.
- 43 From Hannay, *op.cit.*, 13-14, and HBC, 185-186, it is clear that Secretaries had been engaged in some form of administrative service before their appointments.
- 44 *ibid.*, 185-86.
- 45 J.Durkan, 'William Turnbull, Bishop of Glasgow', IR, 2, (1951), 5-61.
- 46 J.MacQueen, 'The literature of fifteenth-century Scotland' in J.M. Brown (ed) Scottish society in the fifteenth-century (London 1977).
- 47 *ibid.*, 194.
- 48 L.J. Macfarlane, William Elphinstone and the Kingdom of Scotland 1431-1514, (AUP 1989), 22; Acta Facultatis Artium Universitatis Sanctiandree, (SHS, 1964), ed. A.I. Dunlop, ii, 101-8; J. Macqueen, 'Some aspects of the early renaissance in Scotland' in Forum of Modern Language Studies, 3, (1967), 206-7.
- 49 A.I. Dunlop, The life and times of James Kennedy, Bishop of St. Andrews. (Edinburgh, 1950), 205.

- 50 J. Macqueen, 'The literature of fifteenth century Scotland', 194.
- 51 HBC, 186.
- 52 N. Macdougall, James III, (Edinburgh, 1982), 213.
- 53 N. Macdougall, James IV, (Edinburgh, 1989), 105.
- 54 HBC, 186.
- 55 Cartulary of Cambuskenneth, (Grampian Club, 1872), lxxii-lxxxvii;
Letters of James IV, 1505-13, (ed.), R.L. Mackie (SHS, 1953), xxviii-
xxxiv.
- 56 *ibid.*, xxix.
- 57 *ibid.*, *passim*.
- 58 *ibid.*, 322.
- 59 *ibid.*, xxxiii.
- 60 *ibid.*, 36061 *ibid.*, xxxii.
- 62 J. Wormald, Court, Kirk and Community: Scotland, 1470-1625, 7.
- 63 James IV, Letters xxxi.
- 64 *ibid.*, xxxi-ii.
- 65 Macdougall, James V, 299 and James V, Letters, 247.
- 66 RSS v, pt i, 519; v, iii, 42, and Spalding Club Miscellany, ii, 179.
- 67 G. Donaldson, Scotland James V to James VII, (Edinburgh, 1965), 42.
- 68 ADCP, xxxviii; Letters and Papers, Foreign and Domestic of Reign of
Henry VIII, v, 62.
- 69 Spalding Misc, ii, 179.
- 70 HBC, *passim*; Donaldson, James V-VII, 42.
- 71 ADCP and James V, Letters, *passim*.
- 72 ADCP, xxxviii.
- 73 Hannay, *op.cit.*, 38-42.
- 74 *ibid.*, 49.
- 75 *ibid.*, 39; G. Brunton and D. Haig, An Historical Account of the
Senators of the College of Justice, (Edinburgh, 1832), 43.
- 76 *ibid.*, see the respective entries for these men.
- 77 Books of sederunt of the Lords of Council and Session, 1560 -1567,
SRO, CS 1/2/1 and RPC, i, *passim*.
- 78 James V Letters, 248.
- 79 *ibid.*, 342.
- 80 RPC, i, 157.
- 81 James V, Letters, 343.
- 82 Keith, History, iii, 31-32.
- 83 F.D. Bardgett, Scotland Reformed: The Reformation in Angus and the
Mearns, (Edinburgh, 1989), 9-18, 26; M. Lynch, Scotland, A New
History, (London, 1991), 164-5; Spalding Misc, ii, 188, 196.
- 84 Spalding Misc, ii, 197.
- 85 HBC, 187; Knox History, i, 48, ii, 363.
- 86 Letters of James IV, xxxi.
- 87 I.D. McFarlane, Buchanan, (London, 1981), 26.
- 88 *ibid.*, 98-99.
- 89 Cartulary of Cambuskenneth, ciii-iv.
- 90 Knox History, i, 48.
- 91 *ibid.* i, 48.
- 92 *ibid.* i, 129-131.
- 93 ADCP, 433 and Cartulary of Cambuskenneth, xcix-cii.
- 94 *ibid.*, xcvi-cii, and Dowden, Bishops of Scotland, 227-8.
- 95 *ibid.* xcix-cii; Warrender Papers, i, 16, Scottish Correspondence of
Mary of Lorraine 1543-60, (ed.) A.I. Cameron, (SHS, 1927), 164-175.
- 96 *ibid.* 164, Balcarres Papers, 1548-1557, (ed.), M. Wood (SHS, 1925),
xlvi, lix.

- 97 Scottish Correspondence of Mary of Lorraine, 164-183, passim.
- 98 Balcarres Papers, 1548-1557, lix, 283-87.
- 99 *ibid.*, 245-248 and 282-3.
- 100 *ibid.*, 245-6.
- 101 Knox History, i, 116.
- 102 J.Guy Tudor England, (Oxford, 1988), chapter 2; J. Wormald Court, Kirk and Community: Scotland 1470-1625, (London, 1981), 11, and 'James VI: New men for old?', Scotia, 2, (1978) 70-76; M.Lee. 'James VI and the aristocracy', Scotia, 1, (1977), 18-23; A.Fraser, Mary Queen of Scots, (London 1970), 198-199.
- 103 Fraser, Mary, 198.
- 104 Poems of Sir Richard Maitland, (Maitland Club, 1830), 19-22.
- 105 SP, v, 299-300, 302.
- 106 G. Donaldson 'The legal profession in Scottish society in the sixteenth and seventeenth centuries' JR, new series, 21, (1976), 1-19.
- 107 Read, Cecil, 17.
- 108 G.W.S. Barrow, The Anglo- Norman Era in Scottish History, (Oxford, 1980), has shown widespread grants of land around Edinburgh to lairds as early as the twelfth century. In no sense whatsoever was Maitland some sort of sixteenth-century forerunner of the later 'working-class lad come good'.
- 109 J. Anderson, (ed.), Collections relating to the History of Mary Queen of Scots, (Edinburgh, 1727-8), 4 vols., iv, 188-93.
- 110 Barrow, The Anglo-Norman Era in Scottish History, 185.
- 111 *ibid.*, 80.
- 112 For 'The Chameleon' see Vernacular writings of George Buchanan (STS, 1891-2), 37-53. See also Historie and life of King James the Sext, 1566-96, ed T. Thompson, (Bannatyne Club, 1825) and R. Bannatyne, Memorials of Transactions in Scotland 1569-73, (Bannatyne Club, 1836).
- 113 'The Palice of Honour', in The poetical works of Gavin Douglas, (STS, 1874), i, 72.
- 114 See M. Lynch, (ed.) Mary Stewart, Queen in Three Kingdoms, (Oxford, 1988), 14, 26n, 56, 69n, 81, 93, 96n and the authorities cited therein. Notice the emphasis on the renaissance ideals of chivalry and honour in Mary's library; J. Durkan 'The library of Mary Queen of Scots' 71-105, in Lynch ed. Mary.
- 115 SP, v, 275-291.
- 116 R.Maitland, History of the House of Seton, (Maitland Club, 1829).
- 117 CDS, iv, 193-4.
- 118 *ibid.*, iv, 193-4.
- 119 SP, v 291.
- 120 J.Pinkerton, Ancient Scottish Poems, (London, 1786) ii, 258.
- 121 HBC, 187.
- 122 M.Lee, Great Britain's Solomon: James VI and I in his Three Kingdoms (Chicago 1981), 67-73, quotes King James' Basilicon Doron and his reference to Maitland as a 'start-up'.
- 123 This is dealt with extensively in chapter 8 but see SP 52.17.41.
- 124 CSPF, x, 203-5.
- 125 J.Maitland, Narrative of the Principal Acts of the Regency, during the Minority and Other Papers Relating to the History of Mary Queen of Scots, W.S. Fitch (ed.), (Ipswich, 1833); Buchanan, Chameleon, 43-44.
- 126 *ibid.*, and Balcarres Papers 1548-1557, 245-6.

- 127 Maitland, Narrative. (there are no page numbers in the Narrative which is a brief twelve-page, unfinished account).
- 128 Buchanan, Chameleon, 43.
- 129 Maitland, Narrative.
- 130 Maitland, Poems, lv-vi.
- 131 Blake, Maitland, cites T.F. Henderson's entry on Sir Richard in the Dictionary of National Biography, (New York, 1893), 35:368, for his appointment of 1533.
- 132 Brunton and Haig, College of Justice, 97-99.
- 133 Calendar of Writs Preserved at Yester House, (SRS, 1930), (ed.), R.K. Hannay and J. Macleod, no. 417; D.N.B., SP, v, 291-2.
- 134 Keith, History, i, 139; TA, x, 246 and again in 1558, *ibid.*, x, 320.
- 135 Sadler, State Papers, i, 448.
- 136 J.M. Anderson (ed) Early Records of the University of St. Andrews, 1413-1579, (SHS, 1926), 245; W.A. McNeill, 'Scottish entries in the Acta Rectoria Universitatis Parisiensis' SHR, 43, (1964), 66-83.
- 137 *ibid.*, SHR, 43, 66-83.
- 138 *ibid.*, 72, and J. Durkan 'St Salvator's College, Castle Inventory' IR, 16, (1964), 128-30. Maitland's mother was a Cranstoun of Corsbie, SP, v, 293, and although William Cranstoun was not of Corsbie, it seems there was a family connection through this channel which explains Maitland's inheritance from Cranstoun of much Catholic memorabilia from St. Salvators. Once again I am grateful to Dr. Durkan for advice in this matter.
- 139 A. Ross, 'Reformation and Repression' in ESR, 409. Ross details the 'auld parisiane kyndnes' that still bound the staunch Catholic, Quintin Kennedy and the fervent Protestant, John Davidson in friendship and the vacillating but finally Protestant, Thomas Smeaton and the convinced Jesuit, Edmund Hay.
- 140 Classical allusions abound in Maitland's correspondence, eg. W. Robertson, History, iii, 280, for a reference to the orations of Demosthenes to the Athenians. His knowledge of the classics clearly extended beyond the clichéd references to Scylla and Charybdis; CSP Scot, i, 540. Maitland quoted Italian proverbs in his correspondence with Cecil, eg, *Quello che é da esser non puo mancar*, *ibid.*, i, 675-6, which loosely translates as what must be cannot be missed; it was also Maitland who was alleged to have delivered to Mary in Lochleven, Aesop's fable of the mouse freeing the lion, which was inscribed in Italian, Nau, Memorials, 59. Maitland, may well have spent time in Italy. His brother Thomas certainly did, see, W.S. McKechnie, 'Thomas Maitland' SHR, 4 (1906), 274-93.
- 141 According to the Narrative, Maitland had 'al pairts requirit for the place to wit: the knowledge of affayres of state, the perfyt use of speaking and writing weal in the Latin and Frenche toongs, so necessar in respect of the great use of trade and commerce with forrayners'. For his excellent English see any of his correspondence in the SP 52 collection; for his perfect Scots see GD 112/39/1-132 box one.
- 142 Knox History, ii 121, 108-134 *passim*.
- 143 SP 52.19.5.
- 144 SP 52.19.5.
- 145 J. Durkan 'The library of Mary Queen of Scots', in Lynch, Mary, 76-77.
- 146 SP 52.19.8.

- 147 Buchanan, History, J. Aikman, (ed.) (Glasgow, 1827) ii, 365.
- 148 Calderwood, History, iii, 285.
- 149 Spottiswoode, History, ii, 193.
- 150 'The cruikit liedis the blinde' in J. Cranstoun (ed.) Satirical Poems of the Reformation, (STS, 1889-1901), i, 128-131.
- 151 Paniter's letter to Mary of Guise concerning his continuation as Secretary was dated 1 October 1554 from Poictou and he was in the process of receiving a safe-conduct in early December 1554; Balcarres Papers, 1548-57, 245-7 and 259. The generally accepted date of Maitland's birth is 1528. Russell, Maitland, 3, on the authority of the Narrative plumps for 1528 but Skelton, Maitland, on the authority of David Laing and the Scots Peerage, more cautiously states that Maitland was born some time between 1525-30. The most recent authority, Blake, Maitland, follows Russell and has entitled his study, Maitland of Lethington, 1528-73.
- 152 TA, x, 29, 354: Maitland, Narrative.
- 153 I am grateful to Dr. Durkan for advice on the age of Scottish students abroad.
- 154 Adv. MS 34.6.24 f280.
- 155 Skelton Maitland, i, 213, Tytler, History, v, 24-25.
- 156 CSP Spanish, 1558-67, 38.
- 157 TA x, 271, Tytler, History, v, 23 for Paniter's alleged involvement.
- 158 TA, x, 282.
- 159 Narrative, and Tytler, History, v, 24-25.
- 160 Tytler, History, v, 24-5 for details of Wharton's letter.
- 161 CSP Scot, i, 373-4.
- 162 Tytler, History, v, 24-5.
- 163 Acts of the Lords of Privy Council of England, vi, 275.
- 164 SP 52.7.28.
- 165 Maitland was expecting to go on to France after visiting Mary Tudor but the failure of this mission as explained above meant he was denied the opportunity of attending the wedding in April 1558 along with the other commissioners, named in APS, ii, 501-2.
- 166 Fraser, Mary, 92, for Mary of Guise's nomination of her mother, Antoinette of Bourbon, as her proxy. For the deaths of four of the commissioners see Buchanan, History, ii, 395, who attributes it to poison.
- 167 RSS v, pt. i, 519.
- 168 D.Starkey (ed), The English Court, (London 1987).
- 169 Lynch, Mary, 1, 2, 5, 9, 10, 11, 12, 15-17, 87-8, and 93.
- 170 Starkey, The English Court, 12-13.
- 171 K. Sharpe, 'The image of virtue: the court and household of Charles I, 1625-42' in Starkey, The English Court, 249.
- 172 This fact also highlights the importance and usefulness of royal progresses which were such a dominant feature of Mary's reign. See my discussion of this in chapter four but see Lynch, Mary, 12, for Mary's grasp of the importance of this method of government and the authorities cited therein.
- 173 Starkey, The English Court, 17-19, and in the same work, 178-80, Neil Cuddy, 'The revival of the entourage: the bedchamber of James I', 178-80.
- 174 Knox, History, ii, 160.
- 175 Maitland's card-playing skills are referred to in TA, x, 414, for Randolph's references to Maitland's equestrian skills see CSP Scot, i, 591. See my chapter 6, notes 31-35, for Maitland's general pre-

- eminence at the court and CSP Scot, ii, 46-47.
- 176 Goodeyre, 'Parliament and Society', 447; Calderwood, History, v, 121.
- 177 Starkey, The English Court, 16.
- 178 Maitland did not always write the royal correspondence but an excellent example which shows that he did pen the major correspondence and also followed the court is Mary's letter to Elizabeth from Seton on 5 January 1562, CSPF, 1561-2, 478.
- 179 A.A. Macdonald, 'The Poetry of Sir Richard Maitland of Lethington' in Transactions of the East Lothian Antiquarian and Field Naturalists' Society, (East Lothian Trans.), 12, (1972), 7-19.
- 180 *ibid.*, 8-9. Maitland quoted Chaucer to Throckmorton, SP 70.28.242.
- 181 *ibid.*, 17.
- 182 *ibid.*, 16.
- 183 *ibid.*, 16, and Maitland's correspondence *passim*.
- 184 Chapter 8 and Maitland, Poems, for Thomas' dedication of his classical oration to William, 148-151.
- 185 Knox, History i, 67.
- 186 Adv. MS, 22.2.9. f40 for the printed grant of indulgence from the Convent of Sciennes to Richard Maitland between 1520 and 1522. See Maitland, History of the House of Seton, 36, 38 and 41 for the Setons' connections with the Convent of Sciennes. See also Maitland, Poems, 32-34, 'On the miseries of the Tyme' and 23-26, 'Satire on the Age' for Maitland's criticism of the post-Reformation Kirk.
- 187 Knox, History, i, 120.
- 188 Buchanan, Chameleon, 44. For details of the spoils that Cranstoun left Maitland- mostly Catholic relics and chalices see J. Durkan's, 'St. Salvator's College, Castle Inventory' IR, 16, (1964), 128-30. This is the same Dr. Cranstoun who had been appointed Rector of the Scots at Paris, the year Maitland entered university there; McNeill, SHR, 1964, 73. Maitland's continued friendship with Archbishop Beaton is acknowledged throughout this thesis, see in particular Maitland's long letter to Beaton which is discussed extensively in chapter 8. For Dr. Nicholas Sanders correspondence to Maitland see SP.70.122.26.
- 189 Bellenden, succeeded his father as Justice-Clerk in 1547, a position which their family dominated throughout the sixteenth-century, Knox, History ii, 367. Of the same branch of the family was the distinguished scholar John Bellenden who translated Hector Boece's Scotorum Historiae, in the mid 1530s at James V's expense. See Wormald, Court, Kirk and Community, 66.
- 190 Maitland was made an extraordinary Lord of Session shortly after Mary's arrival in Scotland in November 1561., Brunton and Haig, Senators of the College of Justice, 106, but as noted earlier in the chapter there was of necessity a close relationship between the Secretariat and this body.

CHAPTER TWO

MAITLAND AND THE REFORMATION CRISIS
1558-1560

I cannot sing for the vexatioune
 Of Frenche men and the Congregatioune
 That hes made trouble in this natioune
 And monie bair bigging
 In this new yeir I sie bot weir
 Na caus thair is to sing.¹

In the light of much recent historical research the traditional picture of the Scottish Reformation crisis has been transformed. In the words of one scholar, 'facile assumptions concerning the irretrievable decay of Catholicism and the irresistible rise of Protestantism' have been 'consigned to oblivion'.² A thorough appraisal of Maitland's role in these years adds considerably to the further delineation of a realistic picture of the Scottish Reformation crisis and it is striking how many of the issues raised by this recent research are encapsulated in Maitland's own political thought and conduct at this time.

Maitland for example personifies the complex dichotomy between religion and politics which has been largely ignored by the more confessional school of historians. He was also critically aware of the crucial international dimension of the Scottish crisis: cognisant that the Scots' struggle was inevitably bound up with the wider diplomatic complex involving England, Spain and France which itself was consistently sharpened by swift-moving events in international relations from mid-1558 onwards. Perhaps more than any other participant in the crisis, Maitland appreciated that while the Lords of the Congregation could benefit from Scotland becoming the cockpit of European diplomacy it also made it far less likely that they would be able to control their own destiny. Maitland was also the most consistent and efficient Scottish advocate of the amity with England, working tirelessly to procure the union of the realms and proving himself to be closely in tune with the 'British' dimension of William Cecil's early foreign policy.³ These brief examples provide a glimpse of

Maitland's grasp of a whole series of political nettles which this chapter will seek to highlight. In so doing, it is hoped to contribute to a better understanding of Maitland's personal political development, providing evidence for how he viewed in these early years, issues which were to remain firmly on the Scottish political agenda for the next decade.

Maitland's Undercover Support For The Congregation

Maitland had been appointed successor to David Paniter on 4 December 1558 and it was in the last days of October 1559, almost two years since the First Bond of the Lords of Congregation that Maitland was to finally defect openly to the Congregation's side, deserting the Regent at Leith.⁴ Yet it was long before October 1559 that Maitland had begun to serve the Congregation's interests as well as those of Mary of Guise. It may even have been prior to his appointment as Secretary that Maitland embarked upon this duplicitous course, although to try and date this precisely is to enter into inconclusive speculation. Interestingly, Spottiswoode refers to Maitland, along with Sandilands of Calder and the famous five signatories to the First Bond, as being one of the principal advocates of religious reform in 1558.⁵ If Spottiswoode is correct it provides not only further evidence of the Dowager's reputation for employing a degree of religious tolerance at this stage but also of the irony with which so much of the Congregation's history is riddled. For it is striking that two of the Congregation's earliest and eventually most influential supporters, namely Morton and Maitland, saw fit to remain in the Dowager's service longer than most - in the case of Morton, markedly longer than most.⁶

The coincidence of Maitland's appointment as Secretary with the Elizabethan accession in England should be noted. The significance of the death of Mary Tudor is often ignored by historians in accounts of the Reformation crisis in Scotland yet the death of the militantly, Catholic Mary had many repercussions north of the border. It jeopardised the policy of toleration that the Dowager had been able to employ. While Elizabeth's Protestantism may always have been a disappointment to her more zealous subjects this did not prevent the London mob in Fleet Street welcoming the daughter of Anne Boleyn as

the Deborah of the North, a theme which permeated her coronation pageants.⁷ Elizabeth was not unequivocally Protestant but she did represent the unequivocal hopes of Protestantism. To the Dowager, the growth of Scottish Protestantism was much less threatening with a Catholic 'auld enemy' than it was after November 1558. Is it just chance that the rising of the religious temperature in Scotland and the first clear signs of Maitland's involvement with the Congregation coincides with the collapse of the Marian regime in England?

There can be little doubt that Maitland played some part in the remarkable Border conference of January 1559 between Châtelherault and Sir Henry Percy.⁸ This is generally accepted as being the first tentative step towards the renewing of an Anglo-Scottish alliance that was to culminate in the Treaty of Edinburgh of July 1560. It is clear that from this point Maitland acted as an undercover agent for the Congregation whilst in the pay and service of the Regent.⁹ Maitland was to play the role of double-agent throughout his career with considerable finesse. Despite others falling under the increasing suspicion of the Dowager and her French advisers, no evidence survives to show that Maitland was unable to cleanly cover his tracks before his eventual defection.

Several aspects of Maitland's duplicitous conduct are worthy of comment. It should be of no surprise that a realist like Maitland did not openly defect earlier to the Congregation. Throughout his career Maitland was motivated by a very strong self-preservatory instinct and was not the sort to commit himself prematurely to a hazardous course while other options remained open. This can clearly be seen in his absence from the ranks of the Chaseabout lords in 1565 and again in his very late departure from Mary in 1567.¹⁰ In 1559 he was acutely aware of the Congregation's inherent weakness and their poor prospects of success without English aid. The Congregation themselves, confessed as late as July 1559, their inability independent of English assistance to achieve their objectives, lamenting, 'How we be able to accomplish these premisses is to us unknown'.¹¹ It is perfectly tenable to maintain that it was only when Maitland's life was in danger in October 1559 that he finally committed himself to the Congregation's cause. Certainly at any time prior to this Maitland could have abandoned his covert

support for the Congregation without even needing to seek a rapprochement with Mary of Guise.

It must, however, be acknowledged that Maitland was a lot more use to the Congregation in this underground capacity than he would have been as an open advocate of their cause. Maitland was no great noble like the earl of Argyll, who could promise thousands of men in the field, but a skilled diplomatist whose value and kudos to the Congregation lay in his position as Secretary. Maitland was the only favourer of the Congregation's cause in a Scottish executive dominated by the French. D'Oysel, De Rubay and Villemore occupied the other chief executive offices of state, whilst the positions of Treasurer and Chamberlain were left deliberately vacant.¹² By virtue of his access to the highest political circles of the Scottish, English and French courts, Maitland was able to add respectability and credibility to the Congregation's cause. It was this, that was Maitland's major contribution to the Congregation, both before and after his open defection to their cause. Knox was for once guilty of an understatement when he referred to Maitland, his replacement as manager of the civil affairs of the Congregation in 1559, as 'a man of better judgement and greater experience'.¹³ There could have been few who were better qualified than Maitland to front the Congregation's cause.

The cautious realism evident in Maitland's long delay in joining the Congregation's ranks is also manifest in England's own hesitant acceptance of the Congregation's invitation to intervene in Scotland. Cecil was in no doubt of the marvellous opportunity the Congregation's rising offered England to improve dramatically their own desperate situation. He was acutely aware of the awesome plight of England as set out in the Distresses of the Commonwealth:

The Queen poor ... the realm exhausted. Division amongst ourselves... The French King bestriding the realm having one foot in Calais and the other in Scotland. Steadfast enmity abroad but no steadfast friendship.¹⁴

Cecil regarded the Congregation's rebellion as a heaven-sent opportunity to remove the threat from France. He advised English agents to 'Anywise kindle the fire, for if quenched the opportunity will not come in our lives'¹⁵ yet remained realistic of the Congregation's prospects for success, judging their progress in pessimistic terms as 'cold, slow, and

negligent'.¹⁶ His pessimism was to prove well founded and was to be exacerbated further by Elizabeth's parsimony, which severely threatened the prospect of effective English aid to the Congregation.

The Border Conference Of January 1559

Yet before turning to events subsequent to October 1559 it is necessary to scrutinise more closely Maitland's conduct prior to his open defection. As mentioned earlier, it is possible to see Maitland's hand discreetly at work in the momentous Border Conference between Châtelherault and Percy, a conference which abounds with the language of and desire for 'Christian amity ... unity, peace and quietness betwixt these realms'.¹⁷ These are themes which dominate a substantial part of Maitland's diplomatic career and his part in the introduction of this agenda once more into Anglo-Scottish relations can be detected both from Châtelherault's speech and Percy's later conduct. 'Sir Henry Percy', spoke the Duke,

this is the first time I have spoken to you but it is not the first conference that hath been betwixt us by message ... Therefore as I know it hath been moved unto you the taking of an abstinence, I would wish the same might take effect.¹⁸

If this is taken in conjunction with Percy's letter two days after the conference, warmly recommending Maitland, then it seems likely that Maitland was the medium by which Châtelherault and Percy had been able to commune so candidly. Percy commended Maitland to Cecil:

as being chief secretary to the Dowager and one in great estimation with her desireth that there were an abstinence of one month to the end that he might but once talk with you Sir William Cecil. This man is as much my lawful friend as can be and a man both godly true in his doings and of good religion.¹⁹

Percy's commendation is significant in a number of ways. It provides an early example of Maitland's oft repeated ability to play a timely, godly card and also of his immense political acumen. He knew it was vitally important that he gained access to Cecil and discussed closely with him his plans for the Congregation if they were even to get off the ground. It was more than a coincidence and serves as a reminder of the central importance of the office of Secretary in sixteenth-century government that the best hopes for an Anglo-Scottish alliance at this point lay in the hands of Secretaries Maitland and Cecil.

The abstinence referred to is a reference to the Anglo-Scottish

conflict at this time in which both countries had become embroiled as a consequence of the Franco-Spanish conflict, which was drawing inexorably to a close at this time. The abstinence and subsequent peace were facilitated more by the Franco-Spanish determination to draw the peace of Cateau-Cambrésis to a close rather than the mutual desire of the Scots and English for peace. This serves as an excellent reminder of the wider international dimension in which Scottish affairs were invariably cast at this time and also of Maitland's capacity to exploit this situation to the Congregation's advantage. The negotiations for peace presented Maitland with a golden opportunity to inform Cecil and Elizabeth of the Congregation's desire for an English alliance. Maitland's skilful diplomacy ensured it was not lost. He adroitly handled the negotiations leading up to the abstinence to ensure he was sent to London and Paris to conclude the peace.

Maitland's Mission To London and Paris In March 1559

On 4 March 1559 the Regent sent Maitland with full commission and 750 crowns to treat with Elizabeth 'on matters tending to the quietness, commodity and wealth of both the realms'.²⁰ To Mary of Guise it was money well spent. Maitland returned in May from London and Paris with reputation and credit enhanced together with the ratifications of the concluded peace between Francis and Mary and Elizabeth.²¹ Yet the hidden agenda of Maitland's mission was to cost the Regent more than 750 crowns. For it was this mission that laid the foundation for the eventual English intervention that was to lead to the destruction of the French position in Scotland.

It is more than a little ironic to note that Mary of Guise who was so strongly charged by the Congregation over the lack of 'government by born men of the realme' should have been so completely duped by one of the few well-born men whom she trusted implicitly. Maitland ruthlessly capitalised on his great credit with her. On 5 February 1559 the Dowager was given £10 to 'play at the cartis with the Erle of Huntlie and young Lethingtoun'²² but the stakes were clearly a good deal higher than the Dowager realised. It was during this mission to London that the Spanish ambassador reported that Maitland ruled the Regent 'body and soul'²³ and thus it appears how well Maitland was able to play the

role of double-agent. Maitland had not only fooled the Dowager but her advisers as well including D'Oysel, Bothwell and Captain Sarlabous, the Gascon captain who was also to serve Mary, who were all involved in the negotiations for the abstinence. It was perhaps Bothwell's anger at Maitland's deception on this occasion that laid the basis for their bitter personal rivalry that was to be such a feature of Mary's personal reign. The Dowager and her advisers were, however, in good company in being duped by Maitland. Buchanan draws attention to Maitland's ability to avoid detection while in France in particular his capacity to outwit even the Cardinal of Lorraine, 'then esteemed the first diplomatist in Europe'.²⁴

Glimpses of Maitland's hidden agenda can be seen in his private conversations with English officials prior to his departure to London. Curiously, it was the English officials, in particular Sir James Croft rather than the Regent's advisers who were more concerned over Maitland's true intent. Croft voiced concern that Maitland was playing the role of double-agent too well and remonstrated with him over his refusal to accept a safe-conduct from the earl of Northumberland. Maitland insisted on a full conduct from Elizabeth, which caused further delay in his embassy. Clearly, Maitland was determined not to fall under any suspicion from the Regent and the anger of Croft at his proceedings who complained that Maitland, 'put the whole nation in peril by standing upon ceremonies' must have helped in this respect.²⁵ Yet Croft's conversations with Maitland do tend to highlight his role as an undercover agent for the Congregation rather than as the dutiful Secretary of the Regent.

The spectre of the marriage of the earl of Arran to Elizabeth, anathema to the Regent, was raised by Croft's allusion to Maitland that 'princes that are desirous by marriage or otherwise to knit amity with the Queen lose no time'.²⁶ Similarly, Maitland's dismissal of Mary Queen of Scots' claim to the English throne 'which never entered into any wise man's head', was hardly likely to endear him to the Regent.²⁷ If this is added to Croft's assertion that Maitland had 'spoken frankly many ways all of which were very much and not easy to put in writing' and Maitland's own determination to make 'large offers', then it becomes clear that Maitland went to London fully intending to plead the

Congregation's cause.²⁸ Regrettably, the details of Maitland's embassy and his meetings with both Cecil and Elizabeth are not extant, and it is during this embassy that the whole chronology of the granting of English aid to the Scots becomes very confused.

The difficulty surrounds a letter of Cecil to Maitland dated 16 April 1559. The Calendar of State Papers Scotland takes this to mean April 1560, but Conyers Read in his authoritative Mr Secretary Cecil places it in April 1559. However, examination of the actual letter, in BL Additional Manuscripts, shows the date to have been written in a completely different hand to the rest of the letter, which is in Cecil's own distinctive hand.²⁹ Close reading of the letter shows it to be much more likely to belong to April 1560 than to 1559. To accept it as belonging to April 1559 greatly advances the attainment of a positive, interventionist English attitude to the Scottish problem which other evidence hardly supports. If written in 1559, it would mean a full three months elapsed before Cecil advised Croft to assay the Scots with 'first fair promises, then with money and last with arms'.³⁰ Alternatively, it shows him as concerned with the practicalities of the situation which had emerged after the dispatch of an English force: the removal of French troops, the demolition of fortifications at Leith and the delicate issues of sovereignty rather than with the matter of actual intervention. The whole letter reads more comfortably in the context of 1560, with the panic-stricken Scots anxious over being forced into a compromise settlement, and none more so than Maitland himself. Maitland's description of his dilemma at this stage as being forced 'to sail be twixt Scylla and Caribidis'³¹ was not the best example of his classical background. That particular analogy was destined to become something of a sixteenth century cliché but it does seem a good deal more likely that it was to Maitland's perplexity of 1560 that Cecil was addressing himself to when he wrote to Maitland:

Sir, I am sorry of the perplexitie wherein you and others have been brought of late with doubt of any conclusion that might prejudice your liberty and therefore in any wise collect your stomach ageyne and make an assured accompt that ye shall ether make the bergayne yourselves or els ye shalbe to unreasonable. Indede I see no such surety as to have the governance in the naturall borne and the men of warre utterly put out and yet this now seemeth at the first sight both to many here and to other princes abroad so strayne as it is thoght unreasonable. And indede I see herein grete difficulte for it is thought by some

that it might lye in you there to moderate the matter and thus to parte the state - to gyve the Frenche interest of soverayntee as to have a general remission and that for the maytenance thereof there might be others taken amongst yourselves for one to mayntene the other - that the chancellorship might be exercised by one of your countrey - that the men of warre might all depart saving some to remayne in Dunbarr for a collor of soveraynte - that Lyth might be demolished - that for the governance iii or iv might be joyned to the Queen until a date assigned for a parlement - that for all other perticuler differences vi might be chosen to report the same to the French kyng. And so many devises might be thought of. But when all is mitigyued it shall best lye in your selves to judge of the truest - and if ye can also devise some titular honors for the Frenche reputation it shall satisfye the world and putt over this heat that king Phillip conceaveth agaynst this realme which ye must think is of no small moment here and yet surely not by us of counsell so wayed but we prefer your weale before his power. Take this my writing in good part I beseech you and if motions of offers offend you, let them offend no moo for they were never spoken in tongue by me. Fare ye well and increase your strength.³²

Read refers to the letter as clear in parts and obscure in others.³³ The whole letter, however, becomes much clearer if read in the context of April 1560. The letter raises the significant matter of possible Spanish involvement in the Scottish crisis and while the threat of Spanish intervention was to play a large part in the great efforts Elizabeth made to achieve a peace by negotiation, this was an issue much more pressing in 1560 rather than 1559. It is true that the letter may be referring to some negotiations Maitland may have conceivably had with the Spanish while in France during the last days of Cateau-Cambrésis. However, it is much more plausible that it refers to April 1560, when almost every letter to or from Scotland made some anxious reference to the threat of Spanish intervention.³⁴ Perhaps the strongest evidence that suggests a 1560 reading of the letter is Cecil's proposal that remissions should be granted to the Scots. In April 1559 there could only have been a tiny minority of Scots who had committ ed themselves so far forward as to be in need of a remission. However, even Read's misdating of the document does not invalidate the basic conclusion he draws from it: that it shows Maitland and Cecil negotiating ways of weakening the French position at least a month before Knox returned to Scotland to 'throw fat in the fire'.³⁵ This conclusion is probably the safest one that can be drawn from Maitland's

mission that kept him out of Scotland for over two months.

If Maitland felt out of touch with the situation in Scotland on his return - he had missed the riotous uprising in Perth and the last Catholic provincial council to be held in Scotland - this was more than compensated by the benefits his passage through the courts of England and France had imbued him with. The letters of Henry II and Francis and Mary from Fontainebleau on 21 April 1559 testify to his prominence whilst Henry II's letter written by the French Secretary Claud del'Aubespine is interesting as being the first contact between these two Secretaries.³⁶ It was a contact that was to later develop into an intriguing relationship much to the annoyance of the English, who, in 1563 accused del'Aubespine of providing Maitland with a royal pension from Charles IX.³⁷ Maitland's French embassy was thus of long-term as well as short-term significance but it is the immediate concerns that are of interest here.

The mission cannot but have enhanced Maitland's European perspective of the Scottish crisis, a perspective which was unmatched by any other Scottish participant with the possible exception of Knox. However, Knox's vision was at once widened and narrowed by his obsession with a pan-European crusade against popery. It was Maitland rather than Knox who was able to pose effectively as the Congregation's man in the know - aware that their struggle mirrored that between the French Crown and its Huguenot inclined provinces - and in possession of the darkest French secrets and intent towards England and Scotland. The French, however, refuted Maitland's claim that 'in the Quene there was nothing but craft and deceit'³⁸ by insisting that his time in France should have shown him the honest and upright intentions of the French. Jacques de la Brosse went so far as to allege that:

Maitland had brought back from France in the month of May last an order from the King to that very effect that that the French troops would have been sent back had it not been for the great disobedience of the subjects which followed shortly afterwards.³⁹

Maitland, however, continued to draw on his inside information of the French to 'reveal all the Queen Regent's projects'⁴⁰ as part of the Congregation's recruiting campaign.

In the same way as Maitland's French mission was of subsequent advantage to the Congregation, so too was his time in England. Although

it is difficult to discern what Maitland discussed with Cecil it does seem likely that the desirability of having the earl of Arran back on Scottish soil, if not the actual prospects of a marriage between Arran and Elizabeth was discussed. More certain is the fact that by the time of his departure from London in May 1559, Maitland had established the influential contacts that were to make him the ideal ambassador for the Congregation some six months later. He was most likely known to the majority of the English privy council, undoubtedly to the English commissioners at Cateau-Cambr sis and, most crucially of all, he had established a working relationship with the two most influential people in England, Elizabeth and Cecil. If this is added to the already high regard he was held in by the English Border officials, it becomes abundantly clear what a useful ally England had in Maitland of Lethington.

The Progress Of The Congregation Before Maitland's Defection

Following his return to Scotland in May 1559, Maitland adopted a low profile and it is difficult to piece together his movements before his open defection to the Congregation in October. Perhaps his mission had imbued him still further with Cecil-like caution. At any rate it is somewhat ironic that at the very time that the Congregation began to assert itself as a potent, dynamic and overtly Protestant force - the friaries of Dundee, St Andrews, Perth, Linlithgow and Stirling were among those the worse for wear after a visit from the Congregation - Maitland was conspicuous by his absence. Despite Maitland's reluctance to declare openly for the Congregation, intense diplomatic efforts by the Congregation to secure English aid continued apace. These were conducted chiefly by Kirkcaldy of Grange, John Knox and latterly by Lord James and the earls of Glencairn and Argyll. Maitland assisted Kirkcaldy's efforts although, according to Percy, 'he would not thereof be acknoven'.⁴¹ The continued importance that Cecil attached to Maitland is shown by his firm remonstrance to Percy for his failure to give precise details of a message which Maitland had sent to Percy via a servant.⁴²

The diplomatic correspondence carried out by the Congregation in these months prior to Maitland's defection highlights many of the

reasons for their difficult progress and the problems hindering direct English intervention. In July 1559 Cecil hit upon perhaps the largest single obstacle hindering the Congregation's progress and in turn the granting of English military aid. This was the lack of legitimate authority and respectability in the Congregation's cause and ranks. While Cecil was glad of the opportunity offered by Kirkcaldy's diplomacy, he bemoaned the fact that 'Kirkcaldy is but known as a private man'⁴³ and one with whom England could hardly enter into full-scale negotiations or respond to as positively as they would wish. This lack of legitimate status was something the Congregation themselves were acutely aware of and of the adverse effect it was having on their progress. They reminded Cecil that Scottish Protestantism, unlike that in England or Denmark, was not a state-sponsored activity and that this exacerbated the major difficulty of persuading, 'a multitude to the revolt of an Authorite established'.⁴⁴

The Congregation's illegitimate status was something not lost on Mary of Guise either. She was consistently able to exploit and capitalise upon the Congregation's dilemma, scornfully attacking them as violent political subversives masking behind spiritual beliefs who 'meantt not religion but a plane rebellion'.⁴⁵ The Congregation faced the insuperable dilemma that they could not comfortably gain political authority and thus legitimise their status without being seen to vindicate the Regent's accusations that they were treasonable rebels, intent on 'the subversion of authority and the usurpation of our Crown'.⁴⁶ In the final analysis this is exactly what happened. The Congregation deposed the Regent and were able to pose as the the true government acting in the best interests of Francis and Mary, defending the commonweal by insisting upon 'government by born men of the realm'⁴⁷ but arguably even more vulnerable to the Regent's accusations which remained her most effective propaganda weapon.

Maitland's Defection

It was in the last days of October, shortly after the deposition of the Regent, that Maitland finally joined the Congregation. There is general agreement in the sources of Knox, Buchanan and Calderwood that Maitland had at last come under suspicion as a favourer of the

Congregation and fled from the Regent at Leith in some danger of his life.⁴⁸ The Regent's bitterness at being so thoroughly duped by one of the few 'well-born men of the realm', whom she trusted implicitly, probably accounts for her subsequent offer of reconciliation to the Congregation, 'if they would put away Balnaves, young Lydington and Ormeston'.⁴⁹ Maitland could surely have expected no other reaction.

One aspect of Maitland's betrayal of the Regent is particularly pertinent. In the same letter of Randolph's that details Maitland's offer of service to Elizabeth, mention is also made of his father, Sir Richard, continuing to act on behalf of Mary of Guise.⁵⁰ This serves to highlight not only the complex and divisive nature of the Reformation crisis in Scotland but also the need to exercise caution when evaluating the role of kinship as a determining and motivating force in the allegiance of those involved. Sir Richard disagreed with his son's active espousal of the Congregation's cause. As the opening quotation of this chapter shows, Sir Richard was equally critical of both the French and the Congregation for the conflict. The more peaceful solution he favoured is detailed below:

The Queens grace gif that scho has offendit
In hir office lat it reformit be
And ye all legis let your sail be mendit
And withtrew hart serve the authoritie
And ye Kirkmen do your dewtie
And all estatis syn and vyce fairbeir
The quhilk to do I pray to the trinitie
To send yow grace now in to this new yeir⁵¹

Sir Richard could later boast to Mary in 1561 with an easier conscience than the vast majority who did, that he had been, a 'trew servand to thy mother and in hir favour stuid ay thankfullie'.⁵²

Maitland could not have joined the Congregation at a time when their fortunes were lower. Within a week of his defection they had reached a new nadir. They had been forced by the Regent into ignominious retreat from Edinburgh to Stirling, causing a subsequent dispersal of their troops and £1,000 of English aid had been snatched from Ormiston by the earl of Bothwell.⁵³ If the Guisard ascendancy in France following the death of Henry II and the arrival of almost 2,000 French troops in Scotland by late summer 1559 is recalled, then the Congregation's incapacity - independent of English military intervention - to achieve

lasting success becomes obvious. It was towards securing that assistance that Maitland immediately addressed himself.

Maitland's Mission To London, December To February 1560

It is striking that the Congregation made immediate use of the increased respectability that Maitland offered their cause. In his commission to solicit aid from Elizabeth they styled him 'secretary of the realm',⁵⁴ an obvious improvement on the private diplomacy hitherto conducted. It was in this latest diplomatic mission that the Maitland-Cecil relationship developed into a firm alliance. The two secretaries worked inexhaustibly to persuade a reluctant Elizabeth and privy council to intervene directly in Scotland. If Maitland had any lingering doubts, he was soon to discover for certain that the granting of English military aid was no foregone conclusion. His role in the subsequent granting of military assistance as sanctioned by the Treaty of Berwick in February 1560 should not be underestimated. Close examination of Maitland's mission to London reveals the vital role which he played.

Maitland arrived in London in early December 1559, equipped with instructions drawn up by Cecil as to how best to plead the Congregation's cause.⁵⁵ Yet Maitland was to be more than a mere mouthpiece for Cecil in this mission. Cecil's earlier fears of the lack of a suitable ambassador for the Congregation, 'Of all other Knox's name if it be not Goodman's is most odious here',⁵⁶ must have been greatly allayed by Maitland's handling of their affairs with considerable finesse. This fact was reflected in the make-up of Maitland's embassy. He was accompanied by Sir Robert Melville, later first Lord of Monimail, an able and long-standing diplomatic associate of Maitland's.⁵⁷ The credibility of the embassy was further enhanced by the inclusion of the Master of the Mint, David Forrest. Forrest, another member of the royal household, would have been able to provide an accurate indication of the Congregation's finances as well as those of the crown itself.⁵⁸ Maitland also ensured the careful management of the potentially explosive Protestant element in the negotiations by selecting the most acceptable face of the Scottish Protestant ministry, John Willock.⁵⁹ Maitland obviously chose well, for Willock was later appointed rector of

Loughborough through the influence of Robert Dudley, earl of Leicester.⁶⁰ Maitland's contribution towards ensuring effective English intervention during this embassy can best be found in a letter of his dated 20 January 1560.⁶¹ Maitland admitted this resembled more a political tract than a letter, and it was probably intended for circulation amongst the English privy council. This letter encapsulates the entire argument surrounding English military intervention and illustrates vividly the great asset Maitland was to the Congregation. It not only shows his perfect grasp of the means and arguments to be employed to woo the English into the fray, but his unparalleled ability to present them in a lucid, detailed and convincing manner.

At the beginning of his letter, Maitland set out to dispel English suspicion both of the Scots constancy and the sincerity of their professed desire for perpetual amity. He knew that the English distrusted the Scots and feared that 'after being delivered' they would 'becom enemies as of before'.⁶² Maitland sought to allay these fears by placing the 'auld alliance' and the traditional Anglo-Scottish enmity in its historical context before going on to explain the complete role reversal of England and France in this crisis. Maitland explained:

God's providence has so altered the case yea changed it to the plat contrary that now has the Frenche taken your place and we of very judgement becom desyrous to have you in their rowme ... Our eyes are opened, we see them manifestly attempt the thing we suspected of you.

Maitland knew that something more substantial than circumstantial change which rendered English friendship more desirable to the Scots had to be offered if English cynicism that the rapprochement was any more promising than the amity offered during the reigns of Henry VIII and Edward VI was to be overcome. Consequently Maitland played his godly card. 'Was not all times the difference of religion the only stay that they were not embraced? Did not the craft of our clergy and the power of theyr adherents subvert the devices of the better sort?' God had now so blessed Scotland, Maitland was happy to report, that they now professed, 'the same religion with you quilk I take to be the strongest knot of amitye can be devised'.⁶³

This illustrates quite clearly what a vital ingredient the religious element was in this crisis. Recent research has tended to play down the religious element in the Reformation crisis. Yet rather than undermining

this element, Maitland's arguments tend to show the complex interaction between religion and politics at this time. Undoubtedly the appearance of a clear commitment on the part of the Scots to Protestantism played an major role in bringing Anglo-Scottish relations so far forward as to make the Treaty of Berwick possible. It certainly helped to allay the English suspicions of their ancient enemies, as Cecil himself observed:

so many slights and finesses have been used before time by that nation that were it not in this common case of religion there is no respect of nation I would be loathe to commit trust to any word or promise.⁶⁴

It is true that the Treaty of Berwick made no mention of matters of religion but this is hardly surprising. It was simply not politically expedient for Elizabeth to be seen to be intervening in Scotland on religious grounds. Support for religiously motivated rebels in Scotland ran the risk of fuelling the religious debate at home, offering a dangerous example to her own Catholic subjects as well as inviting international hostility.

Similarly excluded from the Treaty of Berwick on the grounds of its political explosiveness was the other great enticement Maitland offered the English to intervene in Scotland - the prospect of the union of the two realms. The notion of Anglo-Scottish union was however an important aspect of the diplomatic efforts to secure English aid.⁶⁵ Yet it was an argument more likely to appeal to Cecil and his colleagues than the ultra-conservative Elizabeth.⁶⁶ Cecil was reported as being 'possessed with the chimerical notion of uniting Scotland and England under one creed and government'⁶⁷ and despite his best efforts to keep Maitland's mission in London a secret - even going to the length of hiding him in the Palace of Westminster - Gilles de Noailles was able to report to Francis II that Maitland was in London treating with Elizabeth for the union of the realms under the style of Great Britain.⁶⁸ Cecil was on record as saying 'that the best worldly felicity that Scotland can have is to either continue in a perpetual peace with the kingdom of England or to be made one monarchy with England as they make but one isle, divided from the rest of the world'⁶⁹ and he could not have hoped for a better ally than Maitland for what has been termed the 'British context' of his foreign policy.⁷⁰ Maitland professed himself to be consecrated to the idea of the union of the realms, and

the two men at this point clearly shared a vision of a godly union of England and Scotland.⁷¹

From talk of a godly union, Maitland increased the force of his arguments by making a direct appeal to that most powerful of motives, English self-interest. Maitland skilfully exploited English xenophobic fears of French aggression by playing up to England's deep-rooted hankering after their lost medieval dynastic possessions in France, so as to highlight the French threat. Maitland reminded them 'how covertly your places about Boulogne were assaizeit and carried away ye being in peace as now. How the enterprise of Calais was fynely dissembled I think ye have not so sone forgotten'.⁷² In plain terms, Maitland warned the English that the French sought to use Scotland as but a 'futstole' from which to attack England: 'Ye are the marke they shote at, they seke our realme but for an entery to yours.... Giff ye se not the lyke disposition presently in them ye se na thing'. Maitland also sought to create confidence amongst the English that they could take on the French and win.

In a manner that could only have come from a deep knowledge of French affairs, Maitland stated, at once prophetically and accurately, that 'theyr estate is not always so calm at home as everyman thinketh'. Maitland pointed to the French domestic problems to show that the French were not capable of waging a successful war against the English and the Scots. France, rather, had a 'vain expectation' of not meeting any resistance and it was this that had prompted them to move so far forward in the matter. Now was the time, Maitland urged, for the English to strike back at the French, 'the less fit they be presently for weyr, the mare opportune esteeme ye the time for you'. He reminded the English, 'Giff the like occasion were offered to the Frenche against yow, wey how gladly would they embrace it'. The accuracy of Maitland's view of the European situation is confirmed by the modern European historians Lecostquoy and Braudel, who explain France's ready acceptance of the unfavourable terms of the peace at Cateau-Cambrésis, which gave Spain considerable advantages in Italy, because they saw the prospect of such rich pickings in England and Scotland.⁷³

Maitland went on to confront the most basic issue that was hindering English intervention: finance. By January 1560, Maitland



already knew Elizabeth well and was acutely aware of the threat her parsimony posed to the successful outcome of the Congregation's cause. Maitland's tack was to concentrate on the money to be saved by Elizabeth through timely military intervention. It would certainly cost her more, he added, to fight the French on English soil, the logical consequence of the Congregation's defeat, to say nothing of the damage to national prestige. Maitland also pointed to the long-term savings to be made by Elizabeth in the fortifications at Berwick, which would be rendered superfluous if England and Scotland were bound together in amity. It would have been a substantial saving: the defensive walls built around Berwick from 1558-70 cost £128,000; the single most expensive item built in Elizabeth's reign.⁷⁴

Maitland also dealt thoroughly with the major problem of the Congregation's image as rebels against a divinely sanctioned authority - which continued to be exploited by their opponents. He made effective use of the language of the commonweal, one of the Congregation's most successful propaganda weapons, to argue that the Congregation were in fact loyal subjects acting in the best interests of their sovereign and country. According to Maitland the Congregation meant:

na wyse to subtrak our obedience from our souverane to defraud
hir hyeness off her dew reverence, rents and revenues off hir
crown. We seke nathing but that Scotland may remane as of before,
a fre realme rewlt by hir hienes and hir ministeris borne men of
the same, and that the succession of the crown may remane with
the lawful blode.

Penultimately, Maitland turned to the important positive advantages to be accrued by England through their intervention. In so doing Maitland revealed his close sympathy with Cecil's unionist outlook, not only of England and Scotland but of the whole British isles, by raising the significant issue of Ireland. It also affords conclusive proof of the importance of the unionist factor in the accomplishment of English intervention. Maitland like Cecil was acutely aware of the integral relationship of the three kingdoms within Britain. He gently reminded the English of their Irish problem and their inability to benefit from such a great asset by virtue of its 'continual unquietnes'. Maitland knew that Ireland was to England a 'burthen unto you than great advantage' and that the Congregation had within their ranks one with the power to advance the English cause in Ireland, namely the earl of

Argyll. 'It is not unknown to you what service we are abill to do' for the pacification of Ireland, tempted Maitland. The Irish angle was the Congregation's strongest bargaining counter and it was one that clearly counted for much. The subsequent Treaty of Berwick made detailed provision that Argyll would assist with his force as and where necessary to 'reduce the north partis of Iryland to the perfyt obedience of England'.⁷⁵

Maitland's letter amounted to a comprehensive treatise on the whole matter of English intervention. Even those readers not learned enough to follow his closing advice that they should consult Demosthenes' orations to the Athenians, could be left in no doubt as to what course of action Maitland believed they should follow, when, as he pithily put it, 'your neighbours house is on fyre'.

Maitland's embassy undoubtedly helped Cecil to convince his 'backward advisers' on the privy council that intervention was essential. The subsequent Treaty of Berwick was agreed upon only after an intensely long and hard fought diplomatic battle in the privy council. Cecil even had to threaten his resignation in order to win the day.⁷⁶ The myriad of arguments that Maitland provided for Cecil, covering the whole political spectrum from progressive unionist or religious zealot to conservative patriot, must have been especially welcome assistance. Maitland's contribution to the negotiations leading up to the Treaty of Berwick is perhaps the prime example of the close co-operation between the two secretaries during the Reformation crisis and it certainly helped foster the 'father and son' understanding that was to develop between the two men.

From The Treaty Of Berwick To The Treaty of Edinburgh

It was no doubt a very relieved Maitland who signed the Treaty of Berwick in February 1560.⁷⁷ Yet any belief that the Treaty guaranteed the Congregation's ultimate success was soon shattered. The months between it and the Treaty of Edinburgh, concluded in July 1560, are amongst the most precarious in Maitland's entire political career. Maitland admitted in April 1560 that 'he never had greater care since he was borne' which made him almost wish that he 'had never been a meddler therein'.⁷⁸ By the time English troops had arrived in Scotland

in March, Elizabeth's resolve had already weakened. She was determined to obtain a cheap, compromise settlement by negotiation rather than a costly military conquest and Maitland had to draw on all his powers of persuasion to offset the damage this was causing the Congregation's continuing recruitment drive.⁷⁹ Elizabeth's preference for a cheap compromise severely hampered the Congregation's cause and Maitland sharply remonstrated with English officials at the loss of support it was causing. He somehow managed to hold the Congregation together during this period of high uncertainty but lamented that many prospective supporters 'seeing a treaty so suddenly propounded they become cold, doubting what should follow a communication'.⁸⁰

It was indicative of the difficulties the Congregation faced in capturing the support of the nation that recruitment remained such a pressing problem. On 28 May it was reported that Maitland, Lord James and Argyll were still busy 'soliciting other lords to join their faction'.⁸¹ Remarkably, it was not until May that the allegiance of Morton was finally secured by Châtelherault's wife's renunciation of any claims to the earldom of Angus held by Morton's nephew. Maitland was instrumental in securing that guarantee.⁸² This constant lobbying of support was to continue even after the Treaty of Edinburgh had been signed. The four-line whip the Congregation exercised to ensure the success of the Reformation parliament was a distinctive feature of that significant assembly and will be discussed in the next chapter.

Maitland was relieved when the English finally turned their attention to a military conquest. This, however, soon turned to despair. The English military campaign was catastrophic in its impact and characterised by severe incompetence.⁸³ Poor leadership, exacerbated by clashes of personality between Lord Grey and the Duke of Norfolk resulted in the debacle of the siege of Leith.⁸⁴ The English troops were easily repulsed: not surprisingly, given that the English scaling ladders were yards short for the purpose. The haphazard nature of the English military operation leads to the inescapable conclusion that England had success thrust upon them in July 1560 rather than achieving it through their own efforts. Victory could not have been obtained without a series of fortuitous events, outwith England's power, that significantly strengthened their hand. The death of the regent,

Mary of Guise, was probably the most significant of these, which, added to the all-consuming French domestic strife triggered by the *Tumult d'Ambaise* in March 1560, seriously weakened French resolve and capacity to cope with the Scottish crisis. The Spanish distraction with the Turkish menace in the Mediterranean similarly helped to clear England's path towards a negotiated settlement in Scotland with terms far more advantageous than their campaign merited.

It was left to Cecil to come to Scotland to conclude the settlement with the French representatives. On his arrival in Scotland he paid tribute to Maitland's and Lord James' sterling efforts in the most difficult of circumstances. Cecil recognised Maitland as 'of most credit here for his wit and almost sustains the whole burden of foresight'⁸⁵ and Lord James intriguingly as a man 'surely not unlike either in person or qualities to be a King soon'.⁸⁶ In this period leading up to the Treaty of Edinburgh, Maitland and Lord James can be seen working particularly closely together, preparing to take possession of the centre-stage roles they were to occupy for the best part of the next decade. They both won praise for being prepared to work the Scottish nobility in such a way as to allow the English their complete satisfaction.⁸⁷ This was no mean task with the contending egos of Huntly, Châtelherault and Morton, to name but three, to contend with. Both men, however, were astute enough to realise that they had to meet the demands of the English before they could turn their attention to the management of their own affairs. It can thus clearly be seen that almost from the beginning to the end of the Scottish Reformation crisis, Maitland exerted a crucial influence over its course.

The Treaty of Edinburgh, signed on 6 July, put the seal on the Congregation's victory and the successful English intervention.⁸⁸ It was victory achieved despite Elizabeth's policy rather than because of it. Even at the very time that Cecil was exploiting all his reserves of diplomacy to pull off the advantageous Treaty of Edinburgh, Elizabeth wrote him a most remarkable letter.⁸⁹ She ordered him to break off the negotiations unless the French agreed to restore Calais and pay an indemnity of 500,000 crowns. It was a ridiculous demand. Fortunately for Cecil and the Congregation, the letter did not arrive until 9 July, by which time the Treaty was already a *fait accompli*. It is this crude,

ham-fisted approach of Elizabeth that tends to give the lie to the notion that English intervention in Scotland was 'almost a classic example of a short-lived military effort designed to set up an administration favourable to the ideology of the master-power'.⁹⁰ Such a rationalisation, flattering as it is to Elizabeth, cannot be seriously entertained.

In conclusion, the victory of the Congregation was a personal triumph for Maitland. His contribution to the success was immense both before and after his open defection to the Congregation's ranks. While his Protestantism was not of the Knoxian ideological brand, it was nonetheless convinced and more radical than many historians have allowed for; it also re-expressed in far more cogent political terms Knox's notion of an imperial Britain.⁹¹ A radical foreign policy was matched by a deeply conservative domestic policy. This paradox hits at the heart of the essential paradox of the Scottish Reformation crisis: the Congregation could only succeed with the help of English military aid but it could only gain acceptance if it were also a revolt of the provinces.⁹² Once Maitland joined the Congregation in October 1559 this balancing act was performed with considerably more success and finesse. The levy of a tax in support of the Congregation by the largely Catholic and hitherto stubbornly loyal Aberdeen burgh council is one example of the Congregation's new found ability to find consensus.⁹³ Maitland's diplomatic skills shone throughout the crisis, particularly during the panic-stricken post-Treaty of Berwick phase. Amidst a disastrous four-month military campaign, Maitland held the broadly based Congregation coalition together, attracting to it both the 'Pope of the north east' Huntly and the staunchly Protestant but hitherto politically neutral Morton.⁹⁴ He had established an impressive coterie of influential English contacts. Maitland could count Sadler, Killigrew, Percy, Throckmorton, Randolph, Norfolk, Winchester, Pembroke, Wotton, Howard, Cecil and Lady Cecil and Elizabeth firmly among his favourers. It was a widespread and concrete base of support, one that he was to exploit in the years ahead. Given Maitland's pre-eminent role throughout the Reformation crisis it seems only fitting that it was he, acting as Speaker or Harangue-maker in the Reformation parliament in August 1560, who ushered in the religious settlement and the formal proposals

of a godly and permanent alliance with England. There was surely no one better suited for the task.

Notes

- 1 Sir Richard Maitland's 'On the New Yeir' in The Poems of Sir Richard Maitland, 14-15.
- 2 Certainly the works of M. Lynch, Edinburgh and the Reformation (Edinburgh, 1981), I.B. Cowan, Regional Aspects of the Scottish Reformation (London, 1978), and D. McRoberts (ed.), Essays on the Scottish Reformation (Glasgow, 1962) are amongst those that have caused a fundamental reappraisal of the religious element in the Scottish Reformation. Similarly, the work of Christopher Haigh in England has stimulated much debate on the English Reformation. The quotation in the text comes from R.A. Mason, 'Covenant and Commonweal: the language of politics in Reformation Scotland' in N. Macdougall ed. Church, Politics and Society: Scotland, 1408-1929.
- 3 J. Dawson, 'The British context of William Cecil's early Elizabethan foreign policy', History, lxxiv (1989), 196-216, discusses this more fully.
- 4 RSS, v, pt. 1, 519; Knox, History i, 263-4.
- 5 Spottiswoode History, (Bannatyne Club), i, 263.
- 6 It was not until the Châtelherault's wife renounced her claim to the earldom of Angus in May 1560 that Morton finally committed himself to the Congregation, Registrum honoris de Morton, (Bannatyne Club, 1853) ii, 302.
- 7 C. Haigh (ed.), Reign of Elizabeth I, (London, 1984), 2-3; J. Guy Tudor England, Chapter 9, 'The English Deborah?' and A.F. Pollard (ed) Tudor Tracts, 1532-1588, (London, 1903), 367-92.
- 8 Keith, History, i, 364-8.
- 9 This chapter will strive to show that this was the case using the correspondence of Percy, Croft and Maitland himself, along with the evidence, albeit partial, of Buchanan. It is generally accepted that

Maitland behaved in this manner, eg., Russell, Maitland and W.C. Dickinson's introduction to Knox, History, and G. Donaldson, Scotland: James V to James VII, 92.

- 11 CSP Scot, i, 226-228.
- 12 Handbook of British Chronology (London, 1980), 186-8.
- 13 CSPF, i, 69.
- 14 'The Distresses of the Commonwealth', in H. Gee, The Elizabethan Prayer Book, (London, 1902).
- 15 CSP Scot, i, 223.
- 16 *ibid.*, i, 240.
- 17 Keith, History, i, 364-8.
- 18 *ibid.*, i, 365.
- 19 CSPF i, 100-1.
- 20 *ibid.*, i, 159; TA, x, 417.
- 21 CSPF, i, 222-3.
- 22 Maitland's card-playing skills are referred to in TA, x, 414.
- 23 CSP Spanish, 1558-1567, 38.
- 24 Buchanan, Chameleon, 44.
- 25 CSPF, i, 168-169, and SP 52.1.5.
- 26 *ibid.*, i, 168-9.
- 27 *ibid.*, i, 168-9.
- 28 *ibid.*, i, 352.
- 29 The letter is referred to in Read, Cecil, 141, but the original is found in BL, Addit. MS. 33,531.
- 30 CSP Scot, i, 223.
- 31 *ibid.*, i, 358-59 and SP 52.3.23.
- 32 BL, Addit. MS. 33531.
- 33 Read, Cecil, 141.
- 34 CSP Scot, i, 351-355, 358-363; see also SP 52.3.15-31.
- 35 Read, Cecil, 141.
- 36 CSPF, i, 222-3.
- 37 This episode is disccssed in more detail in chapter 5 but see SP 70.74. 549 and SP 70.79 1081.
- 38 Knox, History, i, 263-4.
- 39 Two Missions of Jacques de la Brosse, ed. G. Dickinson (SHS, 1942), 107.

- 40 Lord Herries, Historical Memoirs of the Reign of Mary, Queen of Scots (Abbotsford Club, 1836), 46.
- 41 CSPF, i, 295.
- 42 *ibid.*, i, 357-58.
- 43 *ibid.*, i, 358-59.
- 44 *ibid.*, i, 469-70.
- 45 Knox, Works, ed. D. Laing (Wodrow Soc., 1846), i, 338.
- 46 *ibid.*, i, 364.
- 47 *ibid.*, ii, 61-3.
- 48 Detailed accounts of this episode are found in Buchanan's History, ii, 375; Knox, History, ii, 263-4; and Calderwood, History, i, 305-06.
- 49 CSP Scot, i, 265.
- 50 CSPF, i, 556-7.
- 51 Sir Richard Maitland's 'Of the Assemblie of the Congregation', *op.cit.* 11-12.
- 52 *ibid.*, 'Of the Quenis Arryvale in Scotland', 16-18.
- 53 CSP Scot, i, 259.
- 54 *ibid.*, i, 252.
- 55 CSPF, ii, 174-77, and Read Cecil, 158.
- 56 *ibid.* i, 73.
- 57 Knox, History, ii, 275-6.
- 58 J.A.B. Teulet, Relations politiques, (Paris, 1862), i, 385.
- 59 *ibid.*, i, 385.
- 60 *ibid.*, i, 385 and Knox, History, ii, 495. It is interesting to recall that both Forrest and Willock had been present at the meeting of the privy kirk in 1555 at which Knox apparently converted Maitland, *ibid.*, i, 120.
- 61 The letter is printed in full in William Robertson, History of Scotland (London, 1802), iii, app. II, 273-80.
- 62 *ibid.*, ii, 273.
- 63 *ibid.*, ii, 276.
- 64 CSPF, i, 371.
- 65 J. Dawson, 'The British context of William Cecil's early Elizabethan foreign policy', History, 74, (1989), 196-216, discusses this more fully.
- 66 *ibid.*, 215.

- 67 J.A. Froude, History of England, (London, 1856-70), vii, 187.
- 68 J.A.B. Teulet, Relations politiques (Paris, 1862), i, 385.
- 69 Read, Cecil, 145 and Sadler, State Papers, i, 375.
- 70 Dawson, 'British context', passim.
- 71 CSP Scot, i, 609 and SP 52.7.28.
- 72 All the following references to this letter, unless otherwise cited, are to Robertson, History, ii, 273-80.
- 73 M.J. Rodriguez-Salgado, 'From Spanish Regent to European ruler - the emergence of Philip II of Spain and the creation of an Empire. (University of Hull PhD., 1984).
- 74 M. Merriman 'Henry's Takeover Bid' in The Sunday Mail Story of Scotland, (Glasgow, 1988) 1, 296.
- 75 Dawson, 'British context', passim.
- 76 Read, Cecil, 161 and CSPF, ii, 186.
- 77 CSPF, ii, 413-15.
- 78 Maitland together with the English agents in Scotland were in a state of complete panic in April 1560 as the correspondence in SP 52.3.15, 16, 23, 31 and 45 shows.
- 79 *ibid.* and Russell, Maitland, 55-59.
- 80 CSP Scot, i, 364 and SP 52.3.31.
- 81 G. Dickinson (ed.), Two missions of Jacques de la Brosse: An account of the affairs of Scotland in the year 1543 and the Journal of the siege of Leith, 1560, (SHS, 1942), 169.
- 82 Russell, Maitland, 55: Reg. Hon. Morton, ii, 307 for Maitland's role in securing the agreement between Châtelherault and Morton.
- 83 Missions of de la Brosse, 54-56.
- 84 Skelton, Maitland, i, 254-5.
- 85 CSP Scot, i, 426-7.
- 86 *ibid.*, i, 427.
- 87 *ibid.*, i, 427.
- 88 Keith, History, i, 291.
- 89 S.Haynes (ed.) A Collection of State Papers left by William Cecil, (London, 1740), 342.
- 90 G. Donaldson, All the Queen's Men: Power and Politics in Mary Stewart's Scotland (London, 1983), 30.
- 91 A.H. Williamson, Scottish National Consciousness in the Age of James

- VI (Edinburgh, 1979), 10-16.
- 92 M.Lynch, Scotland, A New History, 197.
- 93 Extracts from the Council Record of the Burgh of Aberdeen, 1398-1570, ed. J. Stuart (Aberdeen, 1844), 322-3 (11 March 1559-60).
- 94 Donaldson, AQM, 37; Reg.Hon.Morton, ii, 307; SP 52.3.66.

CHAPTER THREE

FROM THE REFORMATION PARLIAMENT
TO THE RETURN OF MARY

Europe in the decade of the 1560s is frequently cited by historians as being in a state of almost constant crisis, plagued by incessant religious turmoil and political instability. In the context of this notion of prolonged crisis the opening year of the decade from the Treaty of Edinburgh to the return of Mary, is a striking portent of the next ten traumatic years in Scottish and European politics. In a sense it provides a microcosm of a decade which repeatedly witnessed the transformation of the existing political equilibrium by the occurrence of unpredictable events of cataclysmic proportions. The death of Francis II in December 1560 was one such event. It ensured that the bullish confidence displayed by the Scots in their Reformation parliament and manifest also in their adventurous proposal of Châtelherault's son, the future third earl of Arran in marriage to Elizabeth was immediately replaced by a sheepish, nervous realism which marked the Scots' attempts at a rapprochement with their home-coming Queen. Less than a year earlier such a scenario would have been unthinkable. Yet since the news of Francis' premature demise, the dilemma of coping with the problematical return of Mary, a daughter of Guise and Rome - the twin victims of the Congregation's triumph - had dominated Scotland's political horizon. Maitland's own reaction was symptomatic of those who had played a prominent role in the Congregation's victory. He was acutely aware that his betrayal of the French interest was painfully fresh in memory and he lamented the fact that he had more to fear than most: 'Alwayes I am taken in France to be a better Englishman than other' and 'though not in greatest place yet is my danger not least.'² Such concerns, however, could hardly be detected in the heady, buoyant atmosphere following the conclusion of the Treaty of Edinburgh, when Maitland, acting in close concert with Lord James sought to consolidate and develop their recent triumph.

The carefully drafted Treaty of Edinburgh confirmed the Congregation's victory whilst studiously avoiding discussion of the two most controversial issues of the dispute; the religious question and the matter of the Scottish alliance with England.³ This well considered discretion on England's behalf was not matched by the subsequent conduct of the Scots. In direct contravention of the terms of the Treaty they eagerly proceeded to hold a parliament and publicly proclaim their commitment to Protestantism and their aspirations for a permanent union with England. It is to a closer examination of this Reformation parliament that attention will now be focused upon.

The Background To The Reformation Parliament

Accurate and constructive comment on the Reformation parliament is impeded by the paucity of the sources available. The limitations of the helpful but incomplete sederunt found in Keith's History and the Acts of the Parliaments are well known, in particular its failure to give any precise indication of the attendance throughout the parliament's entire sitting.⁴ The defective nature of the sederunt is emphasised by the conspicuous absence of Maitland from it, either in the guise of the laird of Lethington or as an officer of the Crown. As it is, perhaps one of the safest conclusions to be drawn from the Reformation parliament is its confirmation of Maitland's pre-eminent influence along with Lord James in the direction of Scottish policy. Their partnership which had been forged during the recent crisis continued to develop. Throughout 1560-1, Maitland and Lord James were not only in the same Church but more often than not in the same pew as well. It was not always to be thus.

In 1560, however, it was Maitland and Lord James who, to a large extent, orchestrated the parliamentary proceedings and their alliance was seemingly sealed by their united approach to the problematical return of Mary. Together the two men canvassed effective support for the oncoming parliament. On July 29 they travelled to Inverkeith to persuade such waverers as Crawford, Innermeath, Gray, Athol and Marischal to attend.⁵ There were many more whose attendance at the parliament could be explained by Lord James' influence.⁶ While it is possible that Maitland attended parliaments prior to 1560, it was his

selection as harangue-maker in the suspicious absence of Chancellor Huntly, on this occasion that marks the beginning of his prominent parliamentary career.⁷ It was one that undoubtedly owed a good deal more to his position as Secretary than to his status as a laird; a fact that is not without significance in the light of the striking attendance of lairds at the Reformation parliament.

A parliamentary assembly had been mooted by Maitland as early as 25 May 1560.⁸ In a letter to Cecil of that date he informed his English counterpart that the estates would assemble on 10 July; an assembly that was subsequently sanctioned by the Treaty of Edinburgh.⁹ Whether or not at this point Maitland envisaged an assembly on the scale of August's is debatable. The political circumstances of May with victory uncertain and the Dowager still alive were hugely different from those of August. It is, however, in those anxious days of May that the roots of the remarkable attendance of so many lairds at the Reformation parliament are perhaps to be found. Maitland's letter of 25 May, written some five days after the completion of what later emerged as the First Book of Discipline, informed Cecil that parliament would see 'ane uniform ordour taken by a common agreement, when I am sure the council will desyr to have your advys'.¹⁰ It is possible that Maitland planned this assembly as a massive, conclusive display of support for the Congregation in the face of the resilient opposition of the Dowager. Indeed it is as part of a manufactured and carefully orchestrated political demonstration that the attendance of the lairds ought to be viewed, rather than as a spontaneous democratisation of the parliamentary-procedure in a spirit of revolutionary fervour sparked off by religious zeal. It is highly improbable that the lairds would have been granted a parliamentary voice if this had not been to the Congregation's advantage. If account is taken of the acknowledged levels of intimidation at work in this parliament, then it must be questioned whether the lairds were voicing their own support or were merely the tools of their more powerful patrons and sponsors.¹¹ Whatever the true explanation of the remarkable attendance, the presence of over 100 lairds did succeed in providing the Congregation with the appearance of a national seal of approval for their victory and a mandate for their legislation.

Much less speculatively, Maitland's letter of 25 May spelt out the guiding English tutelage of the Scots at this point. It has been observed that it was no accident that the only external authority, civil or ecclesiastical, to whom the Scots Confession of Faith was submitted for vetting was the English Secretary of State, Cecil.¹² Maitland's close relationship with Cecil, along with his and Lord James' prominence and the dynastic ambitions of the Hamiltons combined to facilitate this tutelage which was very much to England's advantage. Maitland was undoubtedly a driving force behind the parliament and it is clear from his correspondence following the Treaty of Edinburgh's sanctioning of the assembly on July 10, that he had little intention of abiding by the Treaty's other stipulations that the parliament could not continue until Mary and Francis had ratified the peace. Another letter of his to Cecil illustrates this point. It shows that he was acutely aware of the risks involved of proceeding without Mary's authorisation and his desire to follow Cecil's advice in the matter:

whearby it shall comme to our soveraynes knowledge that we go about the same before we send to them for establishing off our counsall ... I stand but only on the ordour of propounding wherin I desire your honour's advise.¹³

Cecil's influence over the parliament was apparently not limited to procedural advice. A further letter from Maitland to Cecil dated 29 August gave Cecil 'double thankis' not only for his good advice but also for his efforts to ensure that the recent Treaty of Berwick was confirmed by the parliament.¹⁴ Maitland was pleased to report that the Treaty had indeed been 'confirmed by the estates in a form nothing disagreeing with your advice differing very little in the very woordes'.¹⁵ Maitland's determination to follow Cecil's advice is a definite feature of this parliament and represents the peak of his much alleged anglophilia. This is particularly evident in the discussion of the Arran marriage proposal and in his panic-ridden reaction to rumours that he was to be the Scots envoy to France. Maitland replied incredulously to Cecil that:

I marvel wot you ment to write that I was reserved for the voyage of France. I think it was not in earnest! For I speake it in the presens of God I had rather be banished Scotland for seven yeares than take that journey on hand.¹⁶

Maitland had every reason to fear such a mission. It was, however, a

mark of the swift-changing nature of the triangular relationship between England, Scotland and France and, of Maitland's ability to keep pace with this fluid situation, that in much less than seven years time, he carried out a most successful diplomatic mission to France, much to the chagrin of the English government.¹⁷

The Composition Of The Reformation Parliament

Following the pro-forma assembly of the estates on 10 July, the stage was set for one of the most significant parliaments in Scotland's history. Yet before attention is focused upon the legislation of this parliament, some detailed comment ought to be made upon the legislators themselves; those who attended the Reformation parliament. The helpful parliamentary sederunt has been used by historians to provide a useful guide to the regional strengths and weaknesses of the Scottish Reformation, and also as an illustration of the importance of kinship as a crucial factor in the determination of political and religious affiliation.¹⁸ A good many of those recorded as present are readily identifiable but it is not the least of the paradoxes of the Scottish Reformation that attendance at the Reformation parliament is hardly the most reliable litmus test of a commitment to Protestantism. When factors such as the intimidation of likely opponents to the legislation is taken into account, along with the political and kindred-based motivations of many of those present, a more complex yet perhaps more realistic picture of the constitutional birth of Protestantism in Scotland emerges.

There was certainly a broad range of commitment to Protestantism amongst the fourteen earls present at the Parliament ranging from the exemplary, devout Glencairn to the downright opposition of Athol. It is, however, the ground in between, occupied by those such as Châtelherault, Marischal, Caithness and Crawford that is more interesting. Consistency was not a term that sat comfortably with Châtelherault, a man capable of taking at least 'five purposes in three moments'¹⁹ yet no religious prevarication on his part was to mar what has been termed the 'triumph of the Hamiltons'.²⁰ Similarly, the young and soon to be quite mad Arran, the prospective groom of Elizabeth and a far more genuine Protestant than his father, was only too glad on

this occasion to toe the family line.²¹ Argyll had been exposed from an early age to paternal Protestant influences and as Lord Lorne signed the First Bond, an accurate portent of his and the clan Campbell's consistent attachment to the reformers cause.²² The Earl of Rothes also bears testament to the at times hereditary nature of Protestant leanings while Menteith, a close friend of Maitland's has also been described as a strong Protestant.²³

The positions adopted by the Earls Marischal, Crawford, Eglinton, Caithness and Cassillis are not so unequivocal. According to Knox, Athol was the only dissenter amongst the peerage to the Confession of Faith but this is contradicted by Randolph who mentions both Cassillis and Caithness as opposing the reformers cause.²⁴ Archbishop Hamilton went still further and named Eglinton, Athol, Caithness, Cassillis and Crawford amongst those who opposed the Confession.²⁵ The reliability of Hamilton's testimony is questionable but the conservatism if not Catholicism, of Caithness and Eglinton, together with the legendary religious inconstancy of Cassillis makes their opposition, at the very least, tenable. The maverick Bothwell was not present at the proceedings but a more significant absentee was the 'pope of the north-east', Huntly. Huntly's 'sore leg' which prevented him attending the parliament remains one of the most notorious cry-offs of all time yet it did not altogether impede his influence at the assembly.²⁶ Huntly's influence perhaps explains the luke-warm support given to the Confession by Sutherland and Crawford and for the surprising lack of fervour shown by Marischal. Sutherland, as Huntly's cousin had his star hitched very closely to the Gordon wagon and has been described as Catholic.²⁷ In view of his certain conservatism it is perhaps more surprising that he did not actually oppose the Confession. Crawford's reluctance to support the reformers' programme was again confirmed some months later when he refused to subscribe to the Book of Discipline.²⁸ Marischal's Protestant fervour was not of the consistent brand either. In the 1540s he had been an enthusiastic Protestant, in the 1550s a supporter of Mary of Guise and in 1559-60 a somewhat cautious supporter of the Congregation.²⁹ Lord James - Marischal's future son-in-law - was compelled to exert his persuasive powers to gain Marischal's support for the Confession before he made a premature

exit from the parliament pleading sickness.³⁰ It has been argued that Marischal's lands of Dunnottar exposed him to Protestant winds blowing in from the continent but those same lands also exposed him to the influence of Huntly, from whom he held the lands.³¹ Indeed Marischal has been described as one of Huntly's friends.³²

The pre-Reformation Scottish episcopacy has been criticised for not providing better leadership and a more effective resistance to Protestantism. The unsatisfactory pastoral example that they provided is clearly reflected in the prodigious offspring of the primate, Archbishop Hamilton.³³ Yet whatever the personal failings of the bishops, those who remained loyal to Catholicism and were present at the parliament, put up, if not an effective opposition, then at least a sure disapproval of the reformers' programme in the face of definite intimidation. Archbishop Hamilton, Robert Crichton of Dunkeld and William Chisholm of Dunblane, as the chief representatives of the Catholic Church bore the brunt of the intimidatory tactics tacitly acknowledged by the reformers. Knox admitted that for fear 'the bishops would nor durst say anything in the contrary'³⁴ whilst Archbishop Hamilton wrote to his already safely escaped colleague Archbishop Beaton, 'all thir new preachers perswadis opinly the nobilite in the pulpit to putt violent handis and slay all kirkmen that will not concur and take thair opinion ...'.³⁵ Despite these threats Crichton voiced his contempt of Knox as 'an olde condemned hereticke'³⁶ but undoubtedly it was Archbishop Hamilton who was in the most invidious position. In true Hamilton style, however, the Archbishop was able to cope with his dilemma. He opposed the Confession yet supported the Arran marriage proposal, which, if successful would have guaranteed not only the future of Scottish Protestantism but also the triumph of the Hamiltons.³⁷ The reformers were assisted in the parliament by the conforming Bishop of Galloway, Alexander Gordon, the Bishops-elect of Argyll and the Isles, James Hamilton and John Campbell respectively, whilst the conforming Adam Bothwell of Orkney and Lennox's brother the Bishop of Caithness did not to attend the parliament.³⁸

Taken as a whole, the conduct of the episcopacy illustrates the competing forces at work in the parliament, ranging from the strong pull of kin-based loyalties and violent intimidatory action, through to

genuinely held religious-ideological convictions. Both Alexander Gordon and Archbishop Hamilton felt strongly enough to refuse to follow their chief kinsman's example, even if Hamilton did take out an insurance policy. It appears however that the unsatisfactory nature of the Scottish episcopacy remained a problem for the post-Reformation Church. The charges laid against the conforming bishops Bothwell and Gordon in the General Assembly of December 1567 illustrate their perhaps less than whole hearted conversion from their pre-Reformation practices.³⁹

The commendators and priors present at the Reformation parliament contained perhaps the most significant group of convinced Protestants. Certainly, many of those present could boast a healthy Protestant pedigree, whilst the number of experienced parliamentarians, Lords of Session and executive office holders amongst their ranks also lent an extra welcome air of respectability to the assembly.⁴⁰ Undoubtedly the most significant of this group was Lord James. His influence over certain of the earls has already been noted and it was just as effectively exerted over the Stewart commendators of Holyrood, Coldingham, and Inchcolm and definitely over the commendator of Culross, William Colville of Cleish. Interestingly, both Lord James' fellow royal bastards of Holyrood and Coldingham again followed his cue on Mary's return, defending her right to the Mass. Although both these men seem to have supported the Reformation, neither of them achieved popularity with Knox, who was suspicious of their personal friendship with Mary and their adherence to the court.⁴¹ The commendators of Culross and Inchcolm were more straightforward supporters of Protestantism. Colville's family had long been clients of Lord James and Colville himself cut an impressive figure as a former Comptroller and Lord of Session.⁴² Political and dynastic influences probably had a lot to do with Gavin Hamilton's acquiescence, although his brother John, the commendator of Arbroath seems to have been a more genuine Protestant.⁴³ While it has been alleged that Donald Campbell, the commendator of Coupar Angus, was in a hurry to 'put on secular weed', it has also been argued that his support for the Reformation had more to do with clan loyalties than with zeal for the religion.⁴⁴ The commendator of Deer, Robert Keith, kinsman of the earl Marischal, certainly facilitated the spread of the reformed ministry in his kirks

but seems to have followed his master's example in not supporting the Arran marriage proposal.⁴⁵ The conduct of the Kerr commendators of Jedburgh and Newbattle and the Erskine commendators of Dryburgh, Inchmahome and Cambuskenneth has been described as being in keeping with the Protestant sympathies of their families.⁴⁶ John Winram, the prior of Portmoak, the future superintendent of Fife and Strathearn, one of the famous 'six Johns', is an obvious supporter of the reformers' ideals amongst this group.⁴⁷ It is interesting to note that Winram along with Maitland was chosen to cast a modifying eye over the Confession of Faith.⁴⁸ Robert Richardson, the commendator of St Mary's Isle was officially appointed Treasurer in 1561 but seems to have acted in that capacity some while before that date. He supported the reformers' proposals in the parliament but as Treasurer later incurred the wrath of Knox for supporting and assisting the implementation of the thirds of benefices scheme.⁴⁹ John Philip, the abbot of Lindores, an experienced parliamentarian and Lord of Session, also supported the reformers at this parliament.⁵⁰ It is somewhat ironic to recall that Philip along with several other prominent figures of the Reformation parliament including Châtelherault, Marischal, Colville of Culross and John Winram sanctioned the burning in effigy of Sir John Borthwick at St Andrews in 1540.⁵¹ It is to be wondered what impression that ritual burning had on the young Maitland, then a student at St Leonards.⁵²

Burghal representation at the parliament is difficult to evaluate. Of the twenty-two burghs recorded as present at the parliament, the conspicuous absence of Brechin and St Andrews - both of which it is thought had established 'privy kirks' before 1560 - has been noted by Professor Donaldson.⁵³ It does however seem likely that the Provosts of these two burghs were present at some point during the parliament, as they were certainly in Edinburgh in late August to sign the remarkable letter sent to Mary and Francis asking them to agree to the proposed marriage of Arran to Elizabeth.⁵⁴ It is, though, difficult to identify with any certainty the parliamentary representatives of the burghs although the letter to Mary and Francis helps to identify such convinced Protestants as Archibald Douglas of Kilspindie, Provost of Edinburgh, James Haliburton, Provost of Dundee, Erskine of Dun, Provost of Montrose, and Lord Ruthven, Provost of Perth. Yet even with this

helpful identification it is still a quantum leap to equate burghal representation at the Reformation Parliament with burghal acceptance of and enthusiasm for Protestantism. The now more clearly delineated histories of the Reformation in Edinburgh and Aberdeen, show the dangers of such an approach and the need for caution in evaluating burghal embracement of the new faith.⁵⁵

The same influences at work amongst the earls, bishops and commendators - at times coalescent, at times divisive - are also discernible amongst the many lords and lairds present at the parliament. There are those whose presence has been seen as predictable, as a sort of logical conclusion to their long held Protestant and anglophile convictions. Balnaves, Torry, Tullibardine, Meadowflat, Loudoun and Morphie are amongst those who have been placed in this category.⁵⁶ Yet while a good many lords and lairds were of a proven Protestant provenance, there were others who were not. Recent research into Angus and the Mearns, an area receptive to Protestantism, has shown that parliamentary representatives from Angus in contrast to those of the Mearns, were an ill-assorted group who attended uneasily, 'as clients of their sponsors or as mildly dissenting from the general ethos'.⁵⁷ Similarly, the definite family lines toed by the various Hamilton, Cunningham, Campbell and Douglas lairds who attended the parliament was motivated by varying degrees of attachment to Protestantism, with the Campbells proving to be outstandingly consistent in their support for the new faith.

Equally significant is the regional distribution of the lairds who attended the parliament. Most representatives came from the Lothians, Perthshire, Fife, Kyle and Angus and the Mearns, with far fewer from Renfrew, Stirling, Peebles and the northern regions of Aberdeenshire, Banffshire and Invernesshire.⁵⁸ Maitland's own locality of East Lothian was particularly well represented at the parliament with Broun of Colstoun, Cockburn of Ormiston, Douglas of Whittingham, Hamilton of Fingaltoun, Hamilton of Innerwick, Heriot of Trabroun, Lauder of Haltoun and Wauchope of Niddrie-Marischal all present.⁵⁹ It would be convenient to ascribe this particularly high turnout to Maitland's own local influence but despite the fact that Douglas of Whittingham and Heriot of Trabroun were shortly to become Maitland's brothers-in-law,⁶⁰ the

question of Maitland's influence over East Lothian society is a thorny one.

East Lothian actually provides the awkward anomaly of a particularly high turnout at the Reformation parliament being followed by a particularly slow uptake of the reformed ministry in the area. Recusancy flourished in East Lothian when only Bolton, Oldhamstocks, Tynninghame, Haddington and Tranent enjoyed the establishment of an early reformed ministry.⁶¹ Not until 1567/68 did the ministry become more common in the region with no Reader evident at Athelstaneford until 1574, while the minister of Dunbar was still attending to the needs of a number of local kirks.⁶² As late as 1571 the minister of North Berwick was supervising four kirks⁶³ - a classic example of 'Four parische kirkis to ane preicher' - and in such a climate there may well have been some truth in the allegation of 1569 that the parishioners of Whitekirk had 'never heard the word twice preached, nor received the sacraments since the Reformation'.⁶⁴ It is quite possible that the Catholic influences of Maitland's kinsman, Lord Seton and those of his father, Sir Richard, acted as a brake upon a speedy uptake of the reformed ministry in the area. Perhaps Maitland's own Catholic family ties also took the edge off his reforming zeal in his own locality. There is certainly no evidence of Maitland performing any equivalent missionary work in East Lothian to the forty days he and Lord James spent together in 'the north partis of Scotland advancing the religion and the common cause'.⁶⁵

Although an avowed Protestant himself, Maitland seems to have been continually stalked by the shadow of his family's Catholicism. Apart from his father and Seton, Maitland was related to the Catholic Lord Somerville,⁶⁶ while after his second marriage to the Catholic Mary Fleming, Maitland also became a brother-in-law to the Catholic earl of Athol.⁶⁷ The complexities of this period - allegedly an age of religious fundamentalism - are further illustrated by Maitland's relationship with the future Catholic Provost of Edinburgh, Sir Simon Preston of Craigmillar. Craigmillar was Maitland's brother-in-law and undoubtedly his presence and support at the Reformation Parliament would have been helpful, yet Maitland seems to have blessed his absence from the assembly due to some personal business in France. Maitland took

advantage of Craigmillar's journey and used him as a bearer of important letters to Cecil and Lady Cecil dated 29 July, recommending him warmly as 'bedfellow to my wifis sister'.⁶⁸ Maitland's practical handling of Craigmillar was to prove fortuitous in the extreme. Several months later when Craigmillar returned to Scotland as one of Mary's four envoys after the death of Francis, Maitland was able to extract much reliable information from this source.⁶⁹ This particular episode is yet another reminder of Maitland's political astuteness and of his reluctance to close needlessly any open doors, as well as illustrating that personal ties and relationships could transcend ideological differences just as easily as vice versa.⁷⁰

It was then a diverse body that constituted the Reformation parliament which proceeded to pass seventeen Acts of Parliament.⁷¹ Not surprisingly attention has traditionally focused upon the specifically religious legislation, in particular the adoption of the Confession of Faith and the Acts proscribing the Mass, papal authority and the old heresy laws. However, closer scrutiny of the parliament's extensive legislation and its implications offers a more thorough appraisal of the constitutional birth of the new kirk. It is on an examination of that legislation that attention will now be focused.

The Legislation Of The Reformation Parliament

Parliament met as appointed on 1 August, following its three-week adjournment on 10 July. The formal opening was, however, delayed until 9 August, following a week-long debate over the legality of the assembly in the absence of the royal commission and a royal representative.⁷² It is surprising that a vote took place at all. It is evident that Maitland had little intention of waiting for Mary's authorisation. He seems to have realised that it was unlikely to be forthcoming and that it was important for the Congregation not to lose the impetus and momentum of victory. It was no surprise that the belief that the parliament was as valid 'as if it had been called and appointed by the express command of the King and Queen' prevailed against Archbishop Hamilton's opposition and that parliament was formally opened on 9 August.⁷³

In the absence of Chancellor Huntly, Maitland opened the parliament as harangue-maker following the traditional procession from Holyrood to

parliament, with the Crown, Mace and Sword placed in the royal seat.⁷⁴ Maitland conducted himself with characteristic aplomb, setting the desired tone for the proceedings by appealing for unity in the face of the challenge facing the nation. In his opening speech he excused his own insufficiency for the task entrusted to him and proceeded to give a résumé of their recent, necessary defence of their country and the great victory it had pleased God to give them. He sought to soothe those who were still unconvinced and suspicious, who still 'laye backe', and urged 'all estates to lay all particularities apart and bend themselves wholly to the true service of God and their country'. He reminded them of the long absence of good government and justice in the realm. In typical Maitland style he enforced his message with an apposite analogy. He reminded them that they were all members of the one body and of the fable 'where the mouth denied to receive sustenance to nourish the rest of the body so long that the whole perished'. In closing he exhorted them as members of the one body to work together in 'hearty friendship' and prayed God to maintain their amity with all princes 'especially between England and Scotland, in the love and fear of God'.⁷⁵

It is quite clear from Maitland's address, why, what later emerged as the First Book of Discipline - composed months before the parliament sat - was not presented for discussion on this occasion.⁷⁶ The parliament was intended as a display of national unity, not as a demonstration of divisiveness; division would have come only too readily to the fore if the far-reaching proposals of the later Book of Discipline had been discussed. This was undoubtedly Maitland's opinion and, in this instance, the prevailing one. It was this marked political realism of Maitland that signalled the end of the most harmonious phase of his relationship with Knox and his fellow radicals and the beginning of what can only be described as a most volatile, often bitter, often amusing series of confrontations. It certainly helps to explain the friction between Knox and Maitland at this time and Maitland's alleged gibe that 'we must now forget ourselves and bear the barrow to build the house of God'.⁷⁷ Already it was clear that there were fundamental structural differences between Knox's and Maitland's designs for the new ecclesiastical edifice. The prominence of the amity with England, so

often the bed-fellow of Scottish Protestantism, is also obvious from Maitland's opening speech. On this occasion, however, Maitland was unable to promote a discreet discussion on this front, being powerless to restrain the Hamiltons' enthusiastic proposal for guaranteeing perpetual amity between the nations.

The first business done in the parliament was the decision to ratify the recent Treaty of Berwick and to beseech Mary and Francis to do likewise. The next business was the largely unprecedented decision to listen favourably to the request of the lairds to attend the parliament. The parliament was able to turn to the precedent of James I's sanction of the right of the barons to have free voice in parliament in 1427 but hardly any lairds had attended the parliament for close on three quarters of a century. The chief exception to this was the 1491 parliament of James IV when a large number of lairds attended.⁷⁸ If, however, it is borne in mind that in 1560 many of the lairds attended as clients or kindred of the leading members of the Congregation such as Châtelherault, Glencairn, Lord James, Argyll and Morton then it is difficult to resist the view that the lairds request was something of a put-up job. It was small wonder that it was positively responded to and that Maitland observed that he could not remember 'to have seen so frequent a parliament'.⁷⁹ There could have been few alive able to dispute the point.

The Lords of the Articles were then selected and their ranks contained few surprises. Randolph was pleased to report the common opinion of the Lords of the Articles that 'there was not a substancialer nor more sufficient number of all sorts chosen in Scotland many years nor in whom greater hope of good'.⁸⁰ It was a predominantly Protestant selection which ignored the Catholic Bishops in its spiritual ranks but which did choose Athol as one of the temporal lords. The lairds new-found parliamentary voice was recognised by the selection of six of their zealously, Protestant number, including Tullibardine, Lundy, Cunninghamhead, Maxwell and Lochinvar, all of whom had been solid supporters of the Congregation. The elusive Provosts of Linlithgow, Jedburgh, Cupar, Glasgow and Stirling - no doubt all supporters of Protestantism - joined the firmly Protestant Archibald Douglas of Edinburgh, Patrick Ruthven of Perth and James Haliburton of

Dundee as Lords of the Articles. The selection of the Catholic Thomas Menzies of Aberdeen was possibly a token gesture.⁸¹ Perhaps the most notable absentee from the Lords of Articles was Maitland himself. He never acted in that capacity throughout his career which may possibly have been due to his position as Secretary. His absence from their ranks did not, however, diminish his influence in the parliament.

Attention then came to focus on the religious question. According to Knox, discussion arose in response to the petition of 'The Barons, Gentlemen, Burgesses and others' which called 'in the bowels of Jesus Christ' for the abolition of the papistical Church and its doctrines, the redistribution of its patrimony and the expulsion of the clergy of 'that Roman harlot' from parliament and the Church.⁸² The response of parliament to this vehement petition was to request the petitioners to 'draw in plain and several heads, the sum of the doctrine which they would maintain and would desire that present parliament to establish as wholesome, true and only necessary to be believed and to be received in that Realm'.⁸³ The request was taken up and in four days the Scots' Confession of Faith was presented and overwhelmingly accepted by the parliament. The fervour of the original petition coupled with Knox's narrative of these events suggests that Knox would have preferred the parliament to discuss the already existent 'Booke of Common Reformation' at this time. As earlier observed, the timing was hardly right for the parliament to consider those radical proposals. Knox put this reluctance to countenance a 'perfect Reformation'⁸⁴ down to the worldly respects of the parliamentarians and no doubt Maitland was amongst those immensely relieved to have discussion confined to the Confession.

One of the many Reformation myths that have been recently debunked has been the simple equation of Knox = Confession of Faith = Calvinism.⁸⁵ Dr Hazlitt has shown that those who believe - as has traditionally been held - that the 'Confessio Scoticana represents pure Calvinism in a Caledonian accent'⁸⁶ will search in vain for the clear-cut principles of Calvinism amidst the theology of the Confession. There is no double pre-destination, no limited atonement along Calvin's lines and only a passing reference to the perseverance of the saints in the Scots Confession.⁸⁷ Knox, himself, acknowledged the work was not his

alone but the work of the 'six Johns', Willock, Row, Winram, Douglas, Spottiswoode and Knox.⁸⁸ It was perhaps the diverse and cosmopolitan experiences of these six men that accounts in part for the discernible influences of other reformers such as Oecampadius, Bucer, Bullinger, à Lasco, Luther and Beza.⁸⁹ Maitland's correspondence also attests to the significant element of English influence over the Confession.⁹⁰ It was earlier noted that the only external authority to which the Confession was submitted for vetting, was Cecil and it was not a *fait accompli* that he was presented with. On 13 September 1560, Maitland wrote to Cecil asking him if there was anything which he disliked in the Confession so that 'eyther it may be changed (if the mater will so permit) or at least in somethyng qualifeed to the contentation off those which otherwayes myght be offended'.⁹¹

Maitland's own modifying influence is also discernible if it is recalled that the Confession passed to a sub-committee for preliminary examination before being presented to parliament. Maitland worked alongside Winram in this committee and according to Randolph 'thoughe theie coulde not reprove the doctrine, yet dyd theie mytigate the austeritie of maynie wordes and sentences which sounded to proceade rather of some evle concealed opinion, then of anie sounde judgement'.⁹² Randolph alleged that Maitland and Winram vetoed a chapter on the obedience or disobedience of the subject to the magistrate as 'an unfeet matter to be intreated at thys tyme'.⁹³ This was typical of Maitland's conduct throughout his career in which he consistently sought to correlate the religious temperature to the wider political climate. A further example of this will be seen in his reaction to the death of Francis II. Despite this apparent veto, article 24 of the Confession is devoted to the question of obedience to the civil magistrate. This confusion draws attention to the great controversy surrounding the diverse interpretations of the Confession's teaching on this point. These have ranged from the view that obedience was to be virtually unqualified, to a more moderate view that the Confession recognised traditional limitations upon the obedience due, through to the radical view that it sanctioned a special resistance theory.⁹⁴ It seems likely as Dr Hazlitt has argued that Maitland and Winram vetoed a chapter specifically devoted to civil disobedience rather than

obedience.⁹⁵ Indeed article 24 is, in itself, a very conservative statement and it is only through the informal allusions of other articles not specifically devoted to the question of obedience that the more radical interpretations gain any weight. In this sense it can be argued that the Reformation parliament in almost classic post-revolutionary fashion, fostered reactionary rather than revolutionary legislation.

Taken as a whole the Confession of Faith was both a manifesto and a proclamation not only to Scotland but to the world, of the Scots' breakaway from Satan and idolatry and their embracement of the true faith. It served its purpose well and was warmly welcomed in parliament, much to the amazement of Randolph. The parliamentary acceptance of the Confession was not however an accurate portent of a smooth and easy infancy for the new Kirk. Knox was to have good reason to lament the reluctance of many to countenance a 'perfect Reformation' in the months and years ahead during which time Maitland was to prove something of a *bête noir* to the reformer.

The Confession was accompanied by the Acts abrogating papal authority and the old heresy laws as well as those forbidding the Mass and also by a host of other ecclesiastical legislation. The consistorial courts' jurisdiction was to be transferred to a secular alternative, specified pensions were to be valid without papal confirmation, possessors of teinds were to retain them for the time being and feus of Church land carried out since 6th March 1559 were declared invalid.⁹⁶ Despite the fact that stiff penalties were attached to the saying or hearing of Mass, ranging from forfeiture to banishment and for a third offence death, it has long been held as an admirable feature of the Scottish Reformation that it was spared the barbarity and persecution of other European Reformations. This was not because the triumph of Protestantism in 1560 so completely eradicated Catholicism to the extent that there were no dissenters attending the Mass to prosecute.⁹⁷ Knox's hatred of the Mass and his belief that 'one Mass is more fearful than ten thousand armed enemies' does not suggest that it was due to a willingness of the Protestant radicals to seek an accommodation with Catholicism either.⁹⁸ The reluctance of the coercive powers to enforce - in what was a largely kin-based society - the

extremity of the death penalty, suggests that there was a definite split between the hard-liners and those more secular minded politicians who were happy to place such extreme legislation on the statute book in 1560 and again in 1567, but not to enforce it.⁹⁹ Maitland on this occasion, and again in 1567 exemplified the secular concerns which were responsible for the moderation which has been held to be at the heart of the Scottish Reformation.¹⁰⁰ It should be noted that this most attractive feature was achieved in spite of, rather than because of, the leading clerical proponents of reform.

Despite its epithet 'Reformation' a good amount of overtly political legislation was carried out in this parliament.¹⁰¹ Very much to the fore of this essentially secular legislation was the alliance with England. In a strenuous effort to guarantee the perpetual amity of England, the Treaty of Berwick was confirmed and the positions of the Hamiltons as heirs to the throne was ratified as a prelude to the decision taken in parliament to propose Arran in marriage to Elizabeth. Other Acts showed the parliament's convenient regard for the concessions granted to the Scots by the Treaty of Edinburgh when it suited them. These included the passing of a Law of Oblivion and the drafting of 24 names to be delivered to Mary and Francis for the formation of a provisional government. A further Act approved the selection of a council of six to continue in government until their sovereign's approval had been obtained. Regrettably the names of this six are not known but it would seem likely that Maitland was one of this number, for his name along with Lord James, Châtelherault, Arran, Glencairn, Morton, Rothes, Boyd and Ochiltree is amongst those that figure most prominently in the official documentation of the period.¹⁰² It was Lord St John, a Sandilands of Calder, who was the unlucky man chosen to convey the Parliamentary legislation to France. It was probably as a reward for this heroic service that Torphichen was made a heritable lordship by the remaining Act of this Parliament.¹⁰³

Summary Of The Parliament

The parliament came to no definite end but was prorogued until occasion necessitated its resumption, the return of the embassies from England and France being the most likely grounds for that eventuality.

While Maitland could report to Cecil, satisfied that many principal matters had been passed 'with more uniform agreement than was looked for' it remained true that its two chief concerns, the religious question and the amity with England, were still very far from settled.¹⁰⁴ Even without the benefit of hindsight the argument that the seeds of division that were to reap such a rich harvest in Scotland were actually sown in this Reformation parliament is a compelling one. The reluctance, or as Knox put it, the abhorrence of many for a 'perfect Reformation' was to cost the reformers dear. Equally, the rich profits to be gained from a successful conclusion to the Arran-Elizabeth match in terms of guaranteeing the union of the realms and the triumph of Protestantism were heavily countered by the long English odds which accurately reflected the likelihood of a successful prosecution of the marriage suit. Far from imbuing the nation with a Calvinist certainty in the future direction of Scotland's destiny, the Reformation parliament succeeded more in emphasising the highly uncertain, political and ecclesiastical future of the realm.

The Arran Marriage Proposal

The Arran marriage proposal was the major immediate outcome of the parliament. It pre-occupied Maitland's energies for the following four months until Elizabeth's polite refusal in December. The whole question of this proposal has achieved - in the light of Arran's subsequent pathetic career - something akin to comic status. It is not hard to see why. Indeed, with all the benefits of hindsight the notion of a marriage between 'the mad earl and the virgin queen' is more plausible as a Barbara Cartland romance than as a basis for the union of the realms. Yet the later lamentable history of the third earl of Arran should not preclude a serious appraisal of this proposal. Even the comic status it has achieved is hardly incongruous with the whole matter of royal matrimony - there can be few areas of historical study so rich in humour, high in farce and sheer ludicrousness than that of monarchical marriage. It is undeniable that royal marriages throughout history have had a great deal more to do with political, dynastic and economic considerations than with the personal compatibility of the couple involved. A brief, cursory glance through the marital history of

Europe's royal dynasties, past and present, reveals a remarkable propensity for marriages far more ridiculous and with less politically, mitigating circumstances than the Arran offer to compensate for the secondary concerns of personal happiness. As such, the Arran marriage proposal is worthy of serious consideration. It was certainly regarded very seriously by the Scots in 1560. To them it represented a genuine, even logical attempt after the recent English intervention, to unite the realms in indissoluble amity. It is with this in mind that Maitland's role in the matter will now be examined.

It has been alleged that Maitland adopted a *faute du mieux* position over the Arran project.¹⁰⁵ This, however, is perhaps not the most accurate appraisal of Maitland's complex involvement in the scheme. For the Arran proposal as well as emphasising the limitations and vulnerability of Maitland's position as Secretary, also provided the forum for Maitland to express in strident terms the most radical notion of an Imperial Britain ever voiced by a pre-union Scottish Officer of State. He was acutely aware that his position as Secretary despite its remit for life was effectively dependent upon his ability to successfully execute policy. His fear of being associated with an unsuccessful and failed policy is a recurrent theme of his career. In this case it was the Hamiltons he had to satisfy; more typically it was Mary, and Maitland often admitted the difficulty of this fundamental dilemma.¹⁰⁶ In a particular reference to his selection as one of the three ambassadors to London to propose the Arran match, Maitland admitted:

I mon of force comme with them or els I see not how I can maynteyne amyty with the Duke's grace and my lord of Arane so earnestly have they pressed me and layd it to my charge that no excuse will serve and I neither may nor will lose theyr friendship.¹⁰⁷

Maitland's 'may nor will' clause hits at the very heart of the delicate balancing act he was able to perform so successfully for the vast majority of his career as Secretary. The times when Maitland offset this balance, when he could, but would not carry out the policy he had been entrusted with are notable both for their infrequency and for their dire consequences. The Arran match was not one of those instances. The more common scenario was for Maitland to be in close sympathy with a policy but highly concerned as to the most propitious

manner of proceeding and of the actual outcome. Examples of this are found in Maitland's handling of the succession issue, the interview between the two queens, Mary's marriage and the Arran project itself. Historians have been right to point to Maitland's unease at the public manner in which the Arran proposal was dealt with at the parliament but it must also be recognised that he was repeatedly at pains to declare his support for the project.¹⁰⁸ It was the presentation rather than the content and objectives of the proposal that concerned Maitland, together with his usual fear of the uncertainty of a favourable reception in London.

In a letter to Cecil of 18 August 1560, Maitland pointed out that he felt the matter:

might as conveniently have bene entreated more secretly not that I mislike anything either in the matter or manner of doing for itself bot for a certane kynd of feare I have to medle in so wegthy a cause not being fully assured how it shall be lyked with you bot in this caas I have bene driven to a farther point then on my goodwill for the present I wolde have pressed at.¹⁰⁹

A similar attitude was discerned by Randolph who stated that 'The Larde of Lidington rather consulted upon the maner of the doinge than that he thought it not verie good and expedient to be put in experiens'.¹¹⁰ Despite serious misgivings over the manner of proceeding, Maitland was an earnest advocate of the marriage, wishing that 'I may rather dye in the voyage then that it turne not to the union of the two realms'.¹¹¹ It was Maitland who constructed the arguments to induce or rather seduce Elizabeth into acceptance of the proposal.

Although Maitland expressed anxiety over the public deliberation of the marriage he drew comfort from the widespread support and enthusiasm with which the project was greeted. Support for the marriage is difficult to gauge precisely due to the defective list in the Acts of the Parliaments which differs substantially from the one in the Calendar of State Papers, but it is clear that the marriage was popularly acclaimed even in the most unlikely quarters.¹¹² If the latter list is accepted as a minimum indication of the proposal's appeal, then the consent of seven earls (excluding Châtelherault and Arran), six bishops (including bishops elect), eleven commendators, thirteen lords and nine provosts is still an impressive showing. By far the most remarkable aspect of this support was the welcome it received amongst those still professing an

adherence to Catholicism. Archbishop Hamilton, Bishop Crichton, Bishop Chisholm together with Athol and Lords Somerville and Borthwick all supported the proposal. Maitland himself seemed taken aback by this support but welcomed the:

general consent and agreement amongst us in that propos that they to whom it apeareth we have done greatest injury do wishe it maye be broght to pas and the very papistes themselves can be content for the accomplyshment thereof to renounce theyr God the Pope.¹¹³

In a revealing letter to Lady Cecil - who appears to have been one of the few English advocates of the match - Maitland's close diplomatic associate, Robert Melville, offered a plausible explanation for this widespread support.¹¹⁴ In so doing, Melville raised the spectre of the complex factors already noted as being at work in the Reformation parliament. He hinted specifically at the persuasive and intimidatory powers of the Hamiltons when he referred to the decision of parliament to 'seik that thyng that may be gretest comfort to your first friend'. The lack of opposition that this had aroused sprang from the desire of 'sum for feare of your friendis comfort and sum for luif to haif it makis ane quietnes and ane rest'.¹¹⁵

Opposition to the match was enunciated by Randolph in his usual lively style.¹¹⁶ Eglinton, according to Randolph 'loves his wife so well he will do nothing for her father's sake', her father being Châtelherault. Cassillis too was as 'obstinate as ever' whilst he put Marischal's opposition down to the somewhat surprising influence of the Clerk Register, James McGill. Randolph also doubted Lord Gray's support and believed Athol consented out of his contempt for Huntly.¹¹⁷ The overwhelming impression, however, is of widespread enthusiasm for the match and it is difficult to argue with Randolph's appraisal that the Scots were determined with 'tooth and nail' to set the matter forward.¹¹⁸ What else could account for the amazing gall the Scots showed in officially recommending the match to Francis and Mary, requesting their blessing on the project?¹¹⁹

In England, however, the Scots could find no reciprocal enthusiasm for the match. Indeed, it is to be doubted whether the offer was ever seriously countenanced by Elizabeth and the English court. While Randolph acknowledged the Scots' enthusiasm for the match, he privately confessed that he felt the embassy to be 'as mad a journey as any that

ever was made'.¹²⁰ In a sense, the whole episode illustrates the difference in the priority of England for Scotland and Scotland for England at this time. Whereas the Treaty of Edinburgh stimulated a mass of activity in Scotland as to how the Anglo-Scottish alliance might be strengthened, it failed to procure a similar effect in England. Elizabeth was reluctant to consolidate her recent success and refused such measures as the disbursal of pensions to the more influential and significant Scots.¹²¹ In so doing, she set the pattern for her reign in which she consistently declined to countenance a determined, animated policy towards Scotland except when necessity insisted upon it. Necessity was always the mother of Elizabeth's Scottish inventions and it was to insist within five months of the conclusion of the Treaty of Edinburgh that she turn her attention most urgently to her Scottish border.¹²²

At the time of the Arran marriage project, Elizabeth was far too busy flirting with Dudley to entertain serious matters of state concerning Scotland. Her pre-occupation with her horses' groom also seems to have temporarily jeopardised the position of Cecil, the English statesman with the most careful eye towards Scotland.¹²³ Yet even allowing for Cecil's more immediate concerns for his own security, which may have diminished his enthusiasm for the Arran proposal there is no doubting Cecil's consistent opposition to the match. This is despite the fact that it would have fulfilled all of Cecil's own criteria for 'the best worldly felicity Scotland can enjoy'.¹²⁴ Despite much resourceful and continual hectoring from Maitland and his colleagues, even using the channel of his wife, Lady Mildred, Cecil never warmed to the proposal.¹²⁵ In fact it is hard to detect any development of Cecil's professed desire for the union of the realms in this period.¹²⁶ His only comment at this time concerning the future government of Scotland was confined to his tantalising allusion to Lord James as 'a man not unlyke ether in person or qualitees to be a Kyng soone'.¹²⁷ In what was a clear contradiction of Cecil's assessment, Lord James himself was reported as being 'marvellous earnest' in his support of the match.¹²⁸

It is, however, important to emphasise that it was the unionist cause rather than the Hamilton interest that Lord James in common with Maitland was primarily supporting in advocating the Arran match.

Confirmation of this is found in the hostility with which both men regarded Arran's subsequent marital offer to Mary in early 1561.¹²⁹ By that time of course the vital position of the Hamiltons in Scottish affairs and the political value of Arran in the inter-dynastic marriage stakes had been fundamentally altered. This, however is to anticipate. In October 1560, when Maitland left for London in embassy with the earls of Glencairn and Morton and an impressive train of 74 horses, it is only with hindsight that the waning star of the Hamiltons can be detected.¹³⁰

The impressive composition of the embassy reflected the importance the Scots attached to the mission. It was only after much deliberation as to the 'personages and the manner of sending them' that a decision was made in this respect. Châtelherault felt that he ought to have the major say as 'the cheffeste poynte of their message touchethe hym and hys' but he was not to have it all his own way.¹³¹ Caution was apparently urged as it was felt that an indiscreet handling of the proposal, together with the Hamiltons' over-eagerness and the 'imperfection of the partie whom they desire to prefer' would be the major obstacles to the success of the project.¹³² Very probably Maitland felt that indiscretion had already shown itself to be the major part of this particular valiant attempt. Touching the embassy, Randolph observed that 'whatsoever order they take, some they think necessary to take'¹³³ and Maitland was most certainly amongst this number. Randolph felt that Maitland's unifying presence could ill be spared from the centre of government but Châtelherault was not about to countenance an embassy 'touching hym and hys' being devoid of Maitland's unparalleled diplomatic skills, as Maitland himself was critically aware. The 'poor, honest, constant and wise' Glencairn¹³⁴ along with Morton was an uncontroversial choice although Randolph did see fit to scotch rumours of Morton's alleged disloyalty to the English cause, 'he is the same to our nation that he would be esteemed for of us'.¹³⁵ Lord Maxwell was originally touted for the mission but his preoccupation with a bitter and protracted border dispute with Lord Dacres prevented him from travelling.¹³⁶ Maxwell's indisposition perhaps provides a more accurate insight to the harsh, problematical realities of Anglo-Scottish relations at this time.

There was no shortage of volunteers for the journey to London. Lord Robert was keen to go and Argyll seemed especially enthusiastic.¹³⁷ The distinct impression is of an earnest desire amongst the leading Scots to ingratiate themselves with Elizabeth. This probably sprang from the selfish and somewhat optimistic desire to ensure they did not miss out on any largesse Elizabeth may have seen fit to bestow. Such desires if they did exist were to be disappointed. Elizabeth's Scottish patronage, perhaps wisely in the light of earlier unsuccessful attempts to buy Scottish loyalty, never achieved gravy-train proportions. To a large extent this parsimonious policy was remarkably successful. Indeed it can be argued that the loyal service Elizabeth obtained from such as Lord James and Morton, was a far greater return than her minimal investment deserved.¹³⁸

The financing of the Arran embassy is something of a mystery. It was undoubtedly a major expense and one not easily undertaken. Parliament had apparently sanctioned the levying of a tax for the purpose but no evidence exists of such a tax being collected. Randolph reported of the said tax that 'verye muche hath bene saide herein and as yet nothyng concluded'.¹³⁹ Very likely the new regime was reluctant to risk immediate unpopularity by the raising of a tax so early in its life, especially in a period of post-war economic hardship. Unsurprisingly, Châtelherault was reluctant to foot the bill despite his earlier stated belief that he 'ought to have the strooke' in the selection of the ambassadors.¹⁴⁰ As far as the financial aspect was concerned Châtelherault was 'lothe to have any parte therein'.¹⁴¹ It is equally hard to imagine the poor Glencairn, the greedy Morton and the crafty Secretary of State paying their own fare. A letter from the three ambassadors to Cecil dated October 15 suggests, however, that an appropriate source of funding was found.¹⁴² Robert Melville was sent on ahead of the embassy 'to receive some money conforming to the Treasurers warrant which he brings'.¹⁴³ It was after some delay (they originally expected to be in London by Michaelmas) probably due to the financial uncertainty of the mission that the ambassadors left Scotland.

Maitland's Handling Of The Proposal

Unsurprisingly it was Maitland who took the lead in the negotiations

for the marriage. It was an earlier drafted document of his that provided almost verbatim the official proposal of the Scots to Elizabeth.¹⁴⁴ Maitland's draft is a remarkable document covering every conceivable angle of the marriage, emphasising from every turn the advantages to be accrued by Elizabeth and England by acceptance of the proposal. It is this document which provides perhaps the most cogent expression and adoption of the notion of an Imperial Britain, encompassing England, Scotland and Ireland in godly unity ever articulated by a pre-union Scottish government. The apparent popularity of the proposal allied to the strident unionism that it embodied undoubtedly adds to the complexity inherent in Dr Durkan's dictum that 'there is nothing more difficult in any age to pin down than the climate of thought and nothing more necessary to reckon with'.¹⁴⁵ Perhaps it was as a measure of the Scots' willingness or alternatively despair of winning Elizabeth's hand that they were prepared to travel so far along the unionist road. However, never again, not even in the eventual Treaty of Union, was the Scots desire for union ever couched amidst such demeaning admissions of national inferiority and dependence upon England as it was in the Arran marriage proposal. Certainly, arguments alleging Scotland's legal system to have had an English provenance and references to England as the 'better part of the realm' have been conspicuous by their absence.¹⁴⁶

It is in this sense that the Arran project represents the zenith of Maitland's anglophilia. He was a consistent unionist and indeed confessed himself consecrated to the union of the isle but significantly not always by the same sycophantic means.¹⁴⁷ Maitland's means were always closely governed by a sharp perception of the realities of the existent political situation. He used the analogy of the mariner who knew 'in ruling his shippe to applye his course as the stormie blasts of winde and weather shall dryve hym'¹⁴⁸ to explain his political conduct and on another occasion compared himself to the gambler who shuffled his card anew but always kept the same ground.¹⁴⁹ Maitland may not have been in tune with the climate of thought or the spirit of the age but he was invariably in tune with the spirit of the moment and acted accordingly. It is in this light that his espousal of the union in 1560 along stridently Protestant, godly lines ought to be

judged and so too his later conduct, when he aggressively negotiated Mary's claim to the English succession as a prelude to a union along not so godly lines.¹⁵⁰

Wisely and in keeping with the traditional procedural pattern of royal marriage negotiations, Maitland sought to entice English acceptance by concentrating on the 'circumstances and dependents' beneficial to both countries, rather than dwelling upon 'the person that is propounded'.¹⁵¹ This, however, did not prevent Maitland describing Arran as a virtuoso renaissance Prince but he did make it perfectly clear that it was not Arran's advancement they were seeking but rather 'the prosperitie of this whole isle, which doth altogether depend upon the union of the two nations'. Maitland began by acknowledging the enormous debt the Scots owed Elizabeth as the divinely appointed 'meanes instrument and only worker of our deliverance' and their incapacity to repay her before moving on to discuss how this 'good intelligence betwixt the realmes might be continued to our posterity'. According to Maitland the Arran marriage was 'the only meanes in our sight to make this friendship constant and indissoluble'.

In his attempts to procure acceptance of the offer, Maitland utilised the already strong English lobby urging Elizabeth to 'resist this same solitary kind of life and desire which she seemeth to have to live alone' by presenting Scotland and Arran as the optimum partner for herself and England. Maitland knew that Scotland did not have the material advantages of other nations competing for Elizabeth's hand. In an earlier letter to Cecil he had spent much time comparing Scotland to Eric XIV's Sweden. He admitted 'Theyr ostentation maye be greater and I confess ar able to mak a greter shewe of richesse than we'¹⁵² but was at pains to point out that this was not due to any natural Scottish poverty trap or 'sterility of the soil' but rather:

being eightene yeares togeather destitute off constante government, the princesse a minor and furthe of hir realme so long in a continewall warre... oppressed by tyranny of strangears .. yow may imagyne if it have good cause to be very wealthy.¹⁵³

Despite this obvious handicap, Maitland argued that Scotland by divine geographical appointment offered England more advantages than 'they with all theyr richesse ar not able to purchase'.¹⁵⁴ Maitland, quite accurately reminded the English that Scotland although but a poor

nation itself 'hath bene the occasion to yow of spending more treasure than the richest of them all hath in sum' and that union offered the remedy for this great expense.¹⁵⁵ This unionist angle was also evident in Maitland's description of Arran as:

no strangear but in a manner your own countryman seeing this isle is a common country to us both, one that speaketh your own language, of the same religion and one that hath a special good will to this realme'.¹⁵⁶

It was this forthrightly unionist introduction that provided the launch-pad for the central thrust of Maitland's argument. A detailed extract is given below so that the full impact of the radically, imperial, godly unionism on offer to Elizabeth, couched in a European context can be fully comprehended:

You need not to feare the marriage of a King of Scotland to a Queen of England that the pre-eminence of England might be defaced for that should alwayes remain still for the worthiness thairoff and the Kings of Scotland should ever desyre to make their residence England as in the better part of the isle. Neither yet neade you to feare any alteration of lawes, seeing the lawes of Scotland were taken oyt of England and therefore both two realmes are ruled by the one fashion. It is worthily to be noted that the other great Princes of Europe as France and Spayne have of layte tyme so increased with theyr estates by joyning of new powers unto theyr old inheritance that now they be nothing lyke that they were wont to be and yet England remayneth always one without accession of any new force. Consider if therein there be peril or not. For avoyding thairoff the united strength by joyning these two kingdoms having also Ireland knit thereto by this means Ireland might be reformed and brought to perfection of obedience and if choice should be made for the weale of England, Scotland were more mete to be joynt to England. By this means the Queen of England would be the strongest prince of Christendom upon the seas and establish a certain monarchy itself in the oceans divided from the rest of the world.

This explicit articulation of the crux of his argument left little to the imagination. Indeed the whole tenor of the Arran marriage proposal, countenancing as it does some of the physical and constitutional practicalities of the union, illustrates how low on the Scottish agenda -and remote a possibility- the return to effective rule under Mary and Francis was regarded by the Scots. Maitland's hypothesising of the marriage of a King of Scotland to a Queen of England and his apology that Arran was not yet a King, 'the more sorry we', shows that he believed Arran to be but a small and eminently achievable step away from such a title. It also adds weight to Elizabeth's later allegation

of 1583, written in defence of her own treatment of Mary, that in 1560 she had vetoed Maitland's suggestion of deposing Mary.¹⁵⁷

Much less speculatively and quite typical of Maitland was the wider European perspective in which he couched his arguments for union. This broader outlook and awareness of Scotland's position in European affairs was, as noted in earlier chapters, a permanent feature of Maitland's career. He could admit that 'Scotland is here in a corner of the world separated from the society of men'¹⁵⁸ but was nevertheless fully aware of Scotland's tactical and strategic import. Similarly, despite his painfully obsequious and ingratiating reference to England as 'the better part of the isle' he had a shrewd and informed awareness of England's status in the European pecking order. As one of the few British politicians present at the closing stages of Cateau-Cambrésis, he witnessed at first hand the dramatic realignment of post-Cambrésis Europe. Spain had added an ascendancy over Italy to its ever growing empire, whilst France having conceded much Italian ground at least enjoyed the consolation of eradicating the last continental remnant of England's medieval expansionism, inflicting an incisive psychological and political blow to English morale. It was in response to the fact that 'France and Spayne have of late tyme so increased theyr estates' whilst 'England remayneth alwayes one without accession of any new force' that Maitland advocated the creation of what was effectively an Imperial Britain embracing England, Ireland and Scotland united under a common creed, language and crown.¹⁵⁹ To Maitland this creation of a 'monarchy set apart from the seas' provided the best possible defence against continental aggression, particularly against the threat of France, determined on revenge following the recent Anglo-Scottish triumph.

Maitland's notion of a united Britain, of a monarchy set apart from the seas, illustrates the argument that in the early modern period the oceans united rather than divided countries.¹⁶⁰ More significant, however, was his allusion to the prospect of a reformed Ireland 'brought to perfection of obedience'.¹⁶¹ Maitland's raising of the troublesome Irish question was a further reminder of the Scots' capacity to intervene effectively in Ireland through the offices of the earl of Argyll. Even if one allows for Elizabeth's judicious refusal of

the Arran match, which effectively ruled out a unionist settlement to the Irish question, her failure to entertain Argyll and his repeated offers of service more assiduously - which would have significantly increased her potential to influence Irish and Scottish affairs - is indicative of the alarming errors of political judgement Elizabeth was guilty of in this decade.¹⁶²

Maitland concluded his arguments by lamenting the failure of the Scots to embrace the union of the realms through the proposed marriage of Mary to Edward VI. 'How we have bene plagued for it sence you can best beare us record whereby we have bene so deeply wrapped in misery that we are not as yet rid of it'. He advised the English to 'learn of our punishment' but to no avail.¹⁶³ Elizabeth politely but firmly rejected the offer advising the hapless earl not to 'forbeare to accept such marriage as may be made to him for his own weill and surety'.¹⁶⁴

Summary Of The Proposal

Elizabeth's rejection of the proposal is not and should not be regarded as one of her political errors. The lack of warmth and enthusiasm that the match aroused in England, rendered it an eminently sensible decision and one that with hindsight appears positively inspired. This, however, ought not to deflect from the basic fact that this analysis of the Arran marriage proposal has sought to highlight. The proposal was a serious and logical attempt to guarantee the victory of Protestantism and the future of the Anglo-Scottish alliance through the union of the realms. It was not a light-hearted escapade designed to provide an interval of light relief in the complex and difficult field of Anglo-Scottish relations. If, with the retrospective knowledge of Francis' death and Arran's madness, Elizabeth's refusal appears inspired then how much more inspiring to Scotland and Protestant Europe would her acceptance of the invitation to create a godly 'monarchy set apart from the seas' have been in early December 1560? It would have been an audacious and adventurous resolution, one in keeping with the propagandists image of the 'Deborah of the North'¹⁶⁵ but one totally at odds with the cautious infecundity of the Elizabethan regime. Elizabeth knew that England for all its boastful rhetoric was in no position to throw down the gauntlet to France, Spain and the papacy and risk

complete ruination by a premature actualisation of what she theoretically claimed to be, Elizabeth, *Regina Anglorum, Francorum, Hiberniae et Scotorum*.¹⁶⁶

The Impact Of The Death Of Francis.II

Elizabeth's caution was vindicated almost immediately by the news of the death of Francis II. There is no evidence to suggest that she regretted her decision in the light of the colossal changes this event wrought. Rather it confirmed her resolution and encouraged her to view with delight a most convenient solution to her Scottish problem: the marriage of Mary to the recently rejected Arran.¹⁶⁷ It is ironic to view the complete role reversal that this scheme produced. To England and Elizabeth the marriage of Mary to Arran was as attractive and logical as the Arran-Elizabeth match had been to the Scots. In almost geometrically perfect correspondence, Elizabeth's proposal was as distasteful to the Scots (with the obvious exception of the Hamiltons and Knox) as the Scots' own project had been to Elizabeth.¹⁶⁸ In this particular instance it was the Scots who held the more realistic view. Maitland himself was critically aware of the utter impracticality of a marriage which would have completely destroyed the delicate balance of Scottish politics. He and Lord James responded angrily to Arran's own determined efforts to further the match with Mary but they need not have worried.¹⁶⁹ Mary's own complete opposition to such a match ensured that Arran's hopes of marrying Mary were to remain as remote as his hopes of matrimony with Elizabeth.¹⁷⁰ To quite an accurate extent, the miserable marital fortunes of Arran provide a useful portent to the dwindling fortunes of the House of Hamilton in the forthcoming decade.

Maitland's reaction to the death of Francis was totally different from Elizabeth's and did not only amount to a difference of opinion over Mary's next marriage. It was far more fundamental than that. Elizabeth's convenient, simplistic, and unrealistic solution to the problem posed by the death of Francis was in stark contrast to the *realpolitik* response of Maitland. Even before he had left London he had already espoused - in some detail to Cecil - his scheme that was for the best part of Mary's personal reign to provide the pretence, if not the actual basis for the preservation of the amity.¹⁷¹ It was a scheme

borne as much out of Maitland's own self-preservatory instincts as out of the desire for the weal of the two realms and Mary's own benefit. Maitland urgently advocated a rapprochement between Elizabeth and Mary as the only means of preserving the amity. This, according to Maitland could only be achieved by Elizabeth's recognition of Mary as her successor in exchange for Mary's ratification of the Treaty of Edinburgh.¹⁷² Maitland's attitude towards the ratification of the Treaty was to alter considerably in the following months and years, but his insistence on the recognition of Mary as Elizabeth's successor as the sole means of guaranteeing perpetual amity and his own efforts to attain that recognition, was arguably the *raison d'être* of his subsequent career.¹⁷³ It was to prove a most elusive and frustrating goal.

The swiftness and entirety of Maitland's complete change of policy as regards the future of the amity should not be underestimated. The ink of the Arran marriage proposal which, if accepted, would have created a state of affairs hugely prejudicial to the interests of Mary, can hardly have dried when Maitland promulgated his scheme to win her the English succession. This immediate reaction of arguably the most well-informed and alert Scottish politician is not without significance for the whole question of Mary's return to Scotland.

It has recently been argued that after the death of Francis, Mary had no intention of returning to Scotland; that she did so only reluctantly, doing 'everything in her power' to prevent her return to Scotland.¹⁷⁴ The reaction and conduct of Maitland from his discovery of the death of Francis up to Mary's eventual return is not consistent with such a view. Perhaps more importantly neither is Mary's own conduct. Indeed it is hard to reconcile such a narrow, constricted view with the facts. If the reluctant ruler argument is accepted it says a lot for Mary's powers of political guile and statecraft that even before the official forty days mourning period had elapsed she had written to Lord Gray signifying her firm intention 'to pas schortly in thair partis to leif amongst our subjectis in all concord and amity'.¹⁷⁵ This letter dated 8 January 1561, delivered by Robert Lesley can quite safely be taken as representative of the 300 or so letters Mary sent to Scotland with Lesley and her three other envoys, Preston of Craigmillar, Ogilvy

of Findlater and Lumsden of Blanerne. Mary commissioned these envoys as early as 12 January 1561.¹⁷⁶ These letters were pithily described by a concerned Maitland as 'the sede of sedition' and despite his boast to Cecil that 'some of the new corn sede is ordained to be planted in my garden yet I change not',¹⁷⁷ he was only too well aware of the invidious nature of his position and that change he must.

Maitland provides perhaps the most penetrative analysis of the mood and realignment that took place in Scotland in the period of Mary's impending return. Through his brother-in-law, Preston of Craigmillar, Maitland had an acute understanding of Mary's professed intent to return. Maitland met with all four returning commissioners at Craigmillar castle on 20 February but Craigmillar was the most useful so far as Maitland was concerned. Randolph shared the same opinion.¹⁷⁸ On his outward journey to France, Craigmillar had delivered letters from Maitland to Cecil and his wife and on his return through England he also declared his mission to Cecil.¹⁷⁹ The other three commissioners all had spurious records of attachment to the Congregation. As late as 11 May 1560, Ogilvy of Findlater had negotiated on behalf of the Dowager with Maitland, Maxwell, Lord James and Ruthven. Lumsden of Blanerne had been described by Randolph as 'a principal practiser of the French' and as 'crafty, false and subtle a man as any in Scotland'¹⁸⁰ whilst Robert Lesley was described by the same source as 'a mortal enemy to their cause who pretends to the earldom of Rothes'.¹⁸¹ It was through careful liaison with Craigmillar and other recent arrivals from France such as Captain Forbes that Maitland was able to remain alert and well informed and provide the most lucid appraisal of his own and Scotland's delicate situation during these coming months.¹⁸²

The Political Realignment In Scotland

According to Maitland the death of Francis had caused a major political realignment in Scotland. The bi-partite scenario of 1560 consisting essentially of earnest supporters of the Congregation and those who Maitland described as neutrals - those who had opposed the congregation were in Maitland's mind too insignificant to be taken account of - had been supplanted by a tri-partite state of affairs.¹⁸³ In explaining this division to Cecil, Maitland could not resist telling

his English counterpart that this change had arisen directly out of Elizabeth's rejection of the Arran proposal. As a consequence of that refusal, the Scots 'must of necessity procure their sovereign's benevolence' and it was in the matter of how to procure Mary's benevolence that the split had occurred.¹⁸⁴ Significantly, it was not the neutrals who had altered their opinion. They remained 'as they were before, careless of the commonweil' and 'ready to receive whatsoever command of the Prince without examining from what counsel it proceeds or what end it tends to'. It was amongst the Congregation's supporters that the division had taken place.

In characteristically selfish fashion - albeit arguably prophetically correct - the Hamiltons believed their only surety lay in the marriage of Mary to Arran, and that to be achieved before her return. Maitland's account of the other party is of more interest and significance. This group which was 'no small party neyther in nombre degree nor power' felt that Mary should be actively encouraged to return and be favourably received, provided that 'she neyther bring force, neyther yet counsall of strangers but only trust herself upon her native subjects'. It was a measure of Mary's political acumen and the major reason for the early success of her personal reign that she chose to follow this route. This group also believed that there:

wilbe wayes anew to induce her majesty to favour the religion not to disallow the proceedings past and put all things in good order that are amiss living in concord and unitie with all men and favourably to embrace her subjects.

Finally and perhaps most significantly this party believed 'it hard to propound any other conditions unto her of returning home and that it were not plausible in the world abroad' to do so.¹⁸⁵

Maitland's exposition of the Scottish political scenario, particularly his recognition of a strong caucus of neutral opinion and the consistent tendency of this sizeable sector of society to follow the lead of established authority - so long as it had the power to exercise that authority - is not without significance for the entire Reformation period in Scotland. This body of conservative neutrality holds implications for the question of the Reformation as a popular movement and also for the whole question of power politics in sixteenth-century Scotland. This guarded neutrality added to the conservatism inherent in

the welcoming wing of the former Congregation party provides further evidence of the difficult birth of State Protestantism in Scotland. As such it strengthens the dictum that holds true for many local manifestations of the Reformation, that it 'succeeded most where it changed least'.¹⁸⁶

In depicting the political lie of the land, Maitland was also articulating his own acute dilemma. There is little reason to doubt Randolph's view that Maitland and Lord James would have been only too happy never to set eyes on Mary's face, but it is equally true that the earnestness of those desires were closely matched by the increasing improbability of their fulfilment.¹⁸⁷ Maitland had already realised that his very livelihood depended upon his ability to serve Mary and was acting accordingly. Any lingering doubts he may have had on this score were unceremoniously despatched by Mary's letter to him of 29 June 1561.¹⁸⁸ This spelt out in clear terms the conditions of her clemency towards him: 'Nothing passes amongst my nobility without your knowledge and advice. I will not conceal from you that if anything goes wrong after I have trusted you, you are the first one I will blame'. This aggressive ultimatum is the antithesis of the image of the reluctant ruler, mindlessly inheriting her most capable counsellors.¹⁸⁹

Maitland's situation was not, however, as clear cut as the above account would suggest. The English government were Maitland's insurance brokers and if Mary's return transpired to be the calamitous event he feared, then England would be his likely refuge. As he so laconically admitted 'it will be hard for me to dwell in Rome and strive with the Pope'.¹⁹⁰ Maitland could hardly guarantee himself sanctuary in England, if, in the anxious months prior to Mary's return he had been perceived as facilitating her return by carrying out her directives. At the same time he could not afford to incur the wrath of Mary by defying her commands. Once again it was a difficult, duplicitous role Maitland was compelled to play and one that as usual he was able to play with consummate skill. His solution to this dilemma was to convince Elizabeth of the necessity of a rapprochement with Mary by emphasising the precarious future for England and Scotland if she failed to do so. The collapse of the amity, the destruction of Protestantism and the resumption of the auld alliance was the harvest of failure waiting to

be reaped.¹⁹¹ In so doing Maitland could claim to be serving both Mary and Elizabeth's best interests.

Maitland was certainly able to convince the English of his loyalty to their cause. It was during this difficult period that Randolph praised him to Cecil as 'displaying the excellence of his wit, his love to his country and his goodwill towards the English... more than could be thought in any man'.¹⁹² Almost all Maitland's English correspondence at this time affirms his ardent efforts to limit the damage of Mary's return by a combination of religious and political pre-emptive strikes.¹⁹³ However, while Maitland's actions could be interpreted favourably by England they were hardly incapable of a palatable interpretation by Mary either. Even the rejection of the auld alliance - which Maitland engineered in the convention of January 1561- was 'so tempered... that their men are not put out of hope' and Maitland admitted it was a postponement rather than an outright rejection.¹⁹⁴ His argument that Scottish friendship was to be granted rather than requested also smacked of sensible advice rather than disobedience to Mary.¹⁹⁵ Similarly, the question of Maitland's promotion of religious measures 'something more radical than at another time I would have allowed' requires clarification.¹⁹⁶

It is difficult to identify what measures Maitland was referring to. The January convention is traditionally noted for its refusal to implement the radical proposals of the First Book of Discipline rather than for the adoption of an extreme and coercive religious policy.¹⁹⁷ Certainly a debate was held between Knox, Willock and Goodman with the Aberdonian, Catholic contingent of Alexander Anderson, James Strachan and John Lesley, but this was little more than a show trial.¹⁹⁸ Unsurprisingly the debate was won by the reformers but it was a hollow victory. Anderson continued to act as Principal of Aberdeen University until 1569, Strachan continued to serve in the royal Secretariat on Mary's return, whilst Lesley was to rise to great personal favour with Mary.¹⁹⁹ Also at this convention a 'very strait law for eating of meat in Lent and other days of old forbidden' was passed but this was piecemeal compared with the far-reaching proposals of the First Book of Discipline, which, if implemented would have gone a long way towards ensuring the victory of Protestantism remained secure

beyond the grasp of their Catholic Queen. It appears that Maitland was instrumental in this rejection, quite possibly delivering the dismissive gibe of it as a 'devout imagination'.²⁰⁰ Such action was hardly consistent with the alleged adoption of vehement religious measures.

It is possible to argue, however, that Maitland was protecting the best interests of Protestantism. The hard-hitting financial proposals the Book demanded for the endowment of the Kirk, had the power to transform the crucial acquiescence of many influential neutrals into open opposition. Needless to say, Knox, did not share this generous interpretation of Maitland's conduct.²⁰¹ He was no doubt suspiciously aware that at this point, Maitland, could easily justify his conduct to Mary. The rejection of the First Book of Discipline as Knox well knew was not unwelcome news for Mary.

Maitland was clearly managing to play his bifarious game successfully. In this he was undoubtedly helped by Lord James. During this period their partnership developed into a stronger bond. Maitland secured his support for the policy of alluring Mary into acceptance of the amity and the domestic status quo, via Elizabeth's recognition of her claim to the English succession.²⁰² It was greatly to Maitland's advantage that Lord James was chosen as the envoy of the Estates to invite Mary to return. Maitland could certainly endorse Lord James subsequent advice to Mary: 'Above all things madam, for the love of God press not matters of religion, not for any man's advice on the earth'.²⁰³ It was a further reminder of Mary and the Guises' political judgement that she chose to accept Lord James' prudent invitation rather than the alternative Catholic crusade offered by Huntly via John Lesley.²⁰⁴ Perhaps one should not be too surprised at Mary's decision, which was entirely in keeping with the conciliatory climate of pre-Poissy France.²⁰⁵

The united front that Maitland and Lord James were able to hold together succeeded in isolating Huntly and minimising the domestic disruption caused by an unhappy 'Cock of the North' and a nervous Châtelherault.²⁰⁶ This can certainly be detected in the forty days Maitland and Lord James 'spent in the north parts of Scotland... advancing the religion and the common cause'.²⁰⁷ This is one of the most obscure episodes of this interim period. It was apparently

sanctioned - along with the visitations of Argyll, Glencairn and Arran to the west, and of certain unnamed lords to the 'inparts' of the realm - by the May convention in response to the petition from the kirks to suppress idolatry throughout the realm.²⁰⁸ According to Spottiswoode these visitations were carried out amidst an orgy of violence, pillage and fire.

The buildings of the church defaced, the timber, lead, bells put out to sale... the very sepulchres of the dead were not spared but digged, ript up and sacreligiously violated. Bibliothecks destroyed, the volumes of the Fathers, counsellis, and other books of humane learning with the Registers of the Church cast into the streets and consumed with fire.²⁰⁹

This is certainly evidence of the more vehement religious policy Maitland had spoken of in January and there must have been strong political overtones in the visitation which kept Maitland and Lord James away from the seat of government for almost six weeks. It certainly provides an interesting precursor to their next journey northward, to Corrichie the following year.

The State Of The Nation Immediately Prior To Mary's Arrival

Immediately after his return from the north, Maitland composed within one week, three letters of major significance to Cecil.²¹⁰ These letters provide a clear insight into Maitland's mind at this critical juncture as well as a comprehensive report on the state of the nation, just days before Mary's return. They give a synoptic appraisal of Maitland's attitude, with his emphasis on his own perilous situation, the vulnerability of Protestantism and England and the efficacious necessity of Elizabeth establishing an *entente cordiale* with Mary. What is most evident in this correspondence is Maitland's absolute uncertainty as to the outcome of Mary's return. He simply did not know what to expect. He feared the worst and predicted 'wonderful tragedies'²¹¹ if Mary returned an enemy to England and the religion. It is not hard to see why.

His letter of 10 August makes it particularly clear that despite the vandalism of the recent visitations, the victory of Protestantism was far from secure.²¹² This letter is almost Knoxian in its temper with allusions to the 'hollow hearts of the faithful' and the 'butchery of Bonner'. Maitland lamented that it was only in 'outward appearance' that

the religion had 'the upper hand' and that the Protestants were not a united body but rather 'be not all alike' and diverse in their commitment to the faith. In a marvellous analysis of the heterogeneous composition of the body of the new Kirk, Maitland depicted several troublesome elements, 'So many protestants as be either addicted to the French faction, covetous, inconstant, uneasy, ignorant or careless'.²¹³ While it must be borne in mind that Maitland was writing with the specific purpose of persuading the English to accept his conciliatory policy as the best solution to Mary's return, his portrayal of the complex nature of Scottish Protestantism is nonetheless pertinent. Incidentally, it is striking that Maitland had a sufficiently high opinion of Mary's state-craft to believe that she would not be so impetuous as to wage open war against the religion, but feared 'the same would be pressed at by indirect meanes'. Maitland in common with Throckmorton was very much aware of the quality of her political tutelage under the Guises, and from a very early stage was respectfully fearful of Mary's political guile.²¹⁴

The domestic division that Maitland described in these letters is a jolt to those who take the simplistic view of 1560 as the *annus mirabilis* of Anglo-Scottish relations, which once and for all rooted out the influences of France and Catholicism in favour of England and Protestantism.²¹⁵ Maitland's belief that 'some have been so accustomed to feed upon the French fare that their delicate stomachs cannot well digest any other'²¹⁶ allied to his fears of the papists, illustrates the danger of over-emphasising the consequences of 1560, major milestone though it was. As well as identifying the French and papist influences preying on the disparate Protestants, Maitland also drew attention to another explosive element in the equation; the personal tension between Chatélherault and Lord James. If the smouldering discontent of Huntly is added to this cauldron of confusion, it is not difficult to appreciate why Maitland was alarmed at rumours that Mary was seeking to effect a Lennox restitution.²¹⁷

Maitland admitted that he was amazed that the situation was not worse considering that:

it is now more than two years past that we have lived in a manner without any regiment ... I marvel from whence doth proceed the quietness which we presently enjoy, the like whereof was never seen in any Realm.²¹⁸

Maitland was, however, critically aware of the limitations of the make-shift government. The emphasis he placed on Mary's greater powers as the legitimate Prince is striking. Maitland spelt out in basic terms how Mary would be able to establish her ascendancy:

Every man once in a year has to do with his Prince's benevolence: If at that time when his particular business occureth, her countenance shall be but strange to him, in sight of the peril, in what case shall the subject then be? Every man hath in his private causes some enemy or unfriend: what boldness shall they not take, seeking an advantage and knowing their adversary to be out of the Prince's good grace?²¹⁹

This analysis of the monarch-subject relationship, so closely related as it was to the practicalities of life in sixteenth-century Scottish society, provides perhaps the best notion of Maitland's own fears at the return of his sovereign, with whom he stood in such ticklish terms.

The letter of 10 August also contained an interesting contingency plan in the event of Mary returning hostile to England and the religion.²²⁰ Maitland admitted that it was implausible to renew the Treaty of Berwick on the grounds of its offensiveness to Mary and also because of 'the faint-hearted amongst ourselves' with whom he had to contend. As an alternative, he advocated the creation of a European Protestant League made up of England, Scotland, Denmark, Sweden and the German Protestant Princes as well as those of France. It is difficult to see how this would have been any more palatable to Mary than a renewal of the Treaty of Berwick. The scheme does, however, show Maitland's consistent eye to the continent and his conversance with the type of sectarian alliance that was to come to dominate Europe. It was though a suggestion more worthy of Knox than Maitland and as such it is perhaps no surprise that it shared the ill-fated destiny of so many of that reformer's proposals.

Maitland's letter of 15 August contained a definite change of tone. It was written after he had discovered Elizabeth's refusal of Mary's safe-conduct. While Maitland had endorsed Cecil's earlier prevention of D'Oysel's journey northward and the general opinion that it would be best if Mary's return could be somehow delayed, he could scarcely credit the insulting refusal of the safe-conduct.²²¹ It represented the rejection of the conciliatory approach he had advised in favour of the politics of confrontation. He was utterly dumbstruck both at Elizabeth's impolicy, 'To what purpose should you open your pack and sell none of your wares or declare yourselves enemies to those you canot punish?'

but also at Mary's audacious determination to carry on regardless.²²² More than ever Maitland lamented his own dilemma, 'who am taken to be a chief meddler of all the practices within that realm' and confessed that 'it passeth my dull capacity what this sudden enterprise should mean'.²²³ While he felt that 'my wit is not sufficient to give advice in such a dangerous case', at this late stage he appears to have felt his best surety still lay with Elizabeth rather than Mary. He advised Elizabeth to ensure Berwick remained well fortified and begged Cecil for advice as to, 'what is best to be done as well in the common cause as my particular'.²²⁴ It must have been a shocked Elizabeth, who, in barely three weeks time was greeted by Maitland and his newly acquired Marian stance as Mary's personal envoy.²²⁵

If a week is a long time in politics, then the year from August 1560 to August 1561 was a veritable aeon. The complete change in the international balance of power wrought by the death of Francis II demanded an equally thorough change in policy. Maitland working in close concert with Lord James personified the Scots firm grasp of this uncomfortable political nettle, which Elizabeth and England struggled to come to terms with, clinging to the irrelevancy of the terms of the Treaty of Edinburgh. The year witnessed the desertion of the good fortune England had enjoyed in Scottish affairs and the year ahead was to expose the true worth of the Scots' recent promises of eternal love, gratitude and devotion to England. In Scotland, the inner contradictions within the Congregation and the compromise settlement of the Reformation parliament were realised once the capacious, motivating and unifying force of the commonweal had been superseded by the obedient response demanded by Scotland's first adult monarch for eighteen years. The vivid picture of domestic discord painted by Maitland which highlighted the competing forces of the Hamilton party, Lord James party, Huntly, the neutrals, the papists, and the spectre of Lennox is at once an impressive retrospective tribute to the triumph of the Congregation and an accurate appraisal of the enormity of the task facing Mary Stewart on her arrival. Maitland had good reason to fear Mary's return but his father, Sir Richard, probably spoke for the majority when he welcomed Mary in poetic verse, concluding:

'Viva Mairie, trenobill royne de escois'.²²⁶

NOTES

- 1 CSP Scot, i, 509-11, SP 52.6.16.
- 2 ibid., 516-8, SP 52.6.56.
- 3 For the terms of the Treaty of Edinburgh, see Keith, History i, 287-309.
- 4 APS, ii, 525-6.
- 5 CSP Scot, i, 452.
- 6 Lord James' influence by virtue of his royal birth and vast clientage will be discussed in due course in this chapter, but it was particularly evident over many of the Commendators. I am grateful to my friend Jean Morgan and her forthcoming PhD. study on the clientage of Lord James for information in this respect, in particular the details of Lord James' household from the Moray Muniments, box 2, Document 48, the National Register of Archives survey, 217, in West Register House.
- 7 CSP Scot, i, 456.
- 8 ibid., 412.
- 9 Keith, History i, 287-309.
- 10 CSP Scot, i, 412.
- 11 Knox, History, i, 339; and Archbishop Hamilton's letter to Archbishop Beaton, Keith, History, iii, 6.
- 12 W.I.P. Hazlitt, 'The Scots Confession of 1560: Context, Complexion and Critique' in Archiv für Reformationsgeschichte, 78, (1987), 287-319.
- 13 CSP Scot, i, 451.
- 14 ibid., i, 474, SP 52.5.20.
- 15 ibid., i, 474.
- 16 SP 52.5.27.
- 17 This mission is the subject of my chapter 5.
- 18 Donaldson, AQM, 31-47, I.B. Cowan, Regional aspects of the Scottish Reformation, (Historical Association, 1978).
- 19 CSP Scot, i. 609.
- 20 Donaldson, AQM, 35-36.
- 21 ibid., 41.
- 22 First Bond of the Lords of Congregation in G. Donaldson, Scottish

- Historical Documents, (Edinburgh, 1970), 116.
- 23 Donaldson, AQM, 60; In his will, Menteith left Maitland the protection of his wife and children, SRO GD 112/39/1-132 box one.
- 24 Knox, History, i, 338.
- 25 CSP Scot, i, 467.
- 26 *ibid.*, i, 456.
- 27 Donaldson, AQM, 37.
- 28 Knox, History, i, 344.
- 29 Bardgett, Scotland Reformed, 79-81, 101-2.
- 30 CSP Scot, i, 456, Bardgett, *op.cit.* 79.
- 31 Compare Donaldson, AQM, 38, with Bardgett, Scotland Reformed, 79.
- 32 Bardgett, *ibid.*, 79.
- 33 Knox, History, i.59.
- 34 *ibid.*, i. 339.
- 35 Keith, History, iii, 6.
- 36 CSP Scot, i, 461.
- 37 Teulet, Relations, 150-152, and *ibid.*, i, 465.
- 38 Donaldson, AQM, 37-8.
- 39 Keith, History, iii, 189.
- 40 Knox, Works,iii, app.vi, 598-600 for details of John Philip, the abbot of Lindores impressive career and for William Colville the Commendator of Culross. See also, Brunton and Haig, Senators of the College of Justice, 74-75.
- 41 Donaldson AQM, 55-7.
- 42 HBC, 184-5; I am again grateful to Jean Morgan for the ref^{er}ences to Lord James' household from the Murray Muniments, *op.cit.* and Knox, History, ii, 379.
- 43 Knox, History, ii, 415-7, see their entries in the excellent index to this work.
- 44 Bardgett, *op.cit.*, 61, 72-73.
- 45 J.Kirk, Patterns of Reform, (Edin. 1989), 141, CSP Scot, i, 465, Teulet, Relations, 150.
- 46 Donaldson, AQM, 37, 41.
- 47 For details of Winram's career see Knox History, ii, 496.
- 48 Hazlitt, 'Confession', 289.
- 49 Knox, Works, vi, 120-1.

- 50 Knox, History, ii, 474.
- 51 Keith, History, i, 335-337.
- 52 Early Records of St Andrews Univ., 245.
- 53 Donaldson AQM, 42, both are on Knox's list of eight in Works, vi, 78.
- 54 Teulet, Relations, 150-2.
- 55 Lynch, Edinburgh and the Reformation, A.J. White, 'Religion, Politics and Society in Aberdeen, 1543-93' (Edinburgh Univ. PhD., 1985).
- 56 Donaldson, AQM, 39.
- 57 Bardgett, *op.cit.*, 81.
- 58 I.B. Cowan, The Scottish Reformation: Church and Society in Sixteenth Century Scotland, (London, 1982), 119.
- 59 Donaldson, AQM, 39-40.
- 60 SP, v, 298.
- 61 Cowan, Scottish Reformation, 165-66.
- 62 *ibid.*, 166
- 63 *ibid.*, 166
- 64 *ibid.*, 166
- 65 Keith, History iii, 211.
- 66 SP, v, 291.
- 67 SP, i, 445, and viii, 540-1.
- 68 Haynes, State papers, 359.
- 69 CSP Scot, i, 516-7.
- 70 Donaldson's analysis of allegiances in AQM, throughout the Reformation crisis and the civil war repeatedly shows this.
- 71 The best list of this legislation is in Goodeyre, 'Parliament', ii, 480.
- 72 Keith, History, ii, 318.
- 73 Spottiswoode, History, i, 325.
- 74 There is a divergence of opinion on this point. Knox, History, i, 343, defends the absence of the requisite regalia but Randolph, CSP Scot, i, 457 takes the opposite view, asserting their presence.
- 75 CSP Scot, i, 457.
- 76 J.K. Cameron, The First Book of Discipline, (Edinburgh, 1972), 85 and Knox, History ii, 343. From this it is clear the then 'Booke of Common Reformation' had been on the stocks since 20 May.

- 77 Knox, History, i, 335.
- 78 N. Macdougall, James IV, 16.
- 79 CSP Scot, i, 459.
- 80 *ibid.*, 459.
- 81 *ibid.*, 458.
- 82 Knox, History, i, 335-8.
- 83 *ibid.*, i, 338.
- 84 *ibid.*, i, 338.
- 85 Hazlitt, 'Confession', 287.
- 86 *ibid.*, 287.
- 87 *ibid.*, 288.
- 88 Knox, History, i, 343.
- 89 Hazlitt, 'Confession' 297.
- 90 CSP Scot, i, 459, 465, 474, 479-80
- 91 SP 52.5.28.
- 92 Knox, Works, vi, 120-1.
- 93 *ibid.*, 120-1.
- 94 Hazlett, 'Confession' 315-8.
- 95 *ibid.*, 316.
- 96 Keith, History, i, 324-5.
- 97 The recusancy figures covered in Cowan, Scottish Reformation, 159-181 and the fact that by the end of the century a majority of Scottish earls were Catholics serves to underline this point.
- 98 Knox, History, ii, 12.
- 99 APS, ii 525, iii, 3.
- 100 G.Donaldson, The Scottish Reformation, (Cambridge 1960), 55, praises the lack of compulsion in the Reformation settlement. Kirk, Patterns of Reform, struggles to explain the 'moderation', (xviii), of what he considers to be a 'radical, primitivist Reformation', (xvii).
- 101 Goodeyre, 'Parliament', 480.
- 102 J.K. Cameron, Discipline, 10.
- 103 Keith, History, i, 325-6.
- 104 CSP Scot, i, 473.
- 105 M.Lee, Moray, 69.
- 106 His worries at this point are covered subsequently in this chapter but they were the same fears he expressed when dealing with the

- interview, Mary's marriage and the amity in the years ahead, eg., SP 52.7.14, SP 52.7.28, SP 52.9.45.
- 107 SP 52.5.7.
- 108 CSP Scot. i, 465, 473. 477, 479.
- 109 SP 52.5.10.
- 110 SP 52.5.12.
- 111 SP 52.5.10.
- 112 APS,ii, 605, CSP Scot. i, 465-6, Teulet, Relations, 150.
- 113 SP 52.5.10.
- 114 Haynes, State Papers, 362-3.
- 115 *ibid.*, 363
- 116 CSP Scot. i, 469-73.
- 117 *ibid.*, 469.
- 118 *ibid.*, 472.
- 119 Teulet, Relations, 150-2.
- 120 SP 52.5.21.
- 121 CSPF, iii, 262-3.
- 122 Francis II's death in late December ensured this.
- 123 Read, Cecil, 198-201 and the authorities cited therein.
- 124 See Cecil's paper, 'A short discussion of the weighty matter of Scotland', August 1559, in Keith, History, i, 370-77.
- 125 CSP Scot. i, 464, 473, 479 and Haynes, State papers, 363.
- 126 See Dawson, 'British context' *passim* for a discussion of Cecil's unionist out look at this time.
- 127 CSP Scot. i, 427.
- 128 *ibid.*, 466.
- 129 *ibid.*, 518-21.
- 130 Diurnal, 62-3.
- 131 CSP Scot. i, 470.
- 132 *ibid.*, 470.
- 133 *ibid.*, 470.
- 134 The description of Glencairn was Cecil's, CSPF, iii, 262. For the composition of the embassy see *ibid.*, iii, 257.
- 135 CSP Scot. i, 478.
- 136 *ibid.*, 470.
- 137 *ibid.*, 471.

- 138 Elizabeth was more succesful arguably because the path both Moray and Morton chose in later years meant they had no other choice but to rely on Elizabeth.
- 139 CSPF, iii, 257.
- 140 *ibid.*, iii, 257.
- 141 *ibid.*, iii, and SP 52.5.15.
- 142 *ibid.*, iii, 355.
- 143 *ibid.*, iii, 355.
- 144 BL Addit. MS 23,109 f4., is the original in Maitland's hand; compare this with the actal proposal in CSPF, iii, 433-35.
- 145 J. Durkan, 'The cultural background in sixteenth-century Scotland' in ESR, 274-331, esp 292.
- 146 CSPF, iii, 435.
- 147 SP 52.7.28.
- 148 SP 52.19.5.
- 149 CSP Scot, i, 609-610.
- 150 Maitland to Cecil 5 January 1567, in J.P.Collier (ed) The Egerton Papers, (London, 1840), 41-49.
- 151 Addit. 23,109, f6.
- 152 SP 52.5.28
- 153 *ibid.*, and CSP Scot, i, 479-80.
- 154 *ibid.*, i, 479.
- 155 SP 52.5.28.
- 156 Add.23,109, f5.
- 157 W.Goodall, An examination of the letters said to be written by Mary, Queen of Scots to James, earl of Bothwell. 2 vols., (Edinburgh, 1754), i,110. If this is true it is surprising the accusation did not arise during the civil war.
- 158 CSP Scot, i, 58i.
- 159 Addit. 23,109. f7; see also A.H. Williamson, Scottish National Consciousness, 10-16.
- 160 J.Dawson, 'Two kingdoms or three?: Ireland in Anglo-Scottish relations in the middle of the sixteenth-century' in R.A. Mason (ed.), Scotland and England, 1286-1815, (Edinburgh, 1987), 113-138, (113 for the quotation).
- 161 Addit. 23,109,f6.

- 162 For Elizabeth's neglect of Argyll see Dawson, op.cit. 118-131..
- 163 Addit. 23,109,f6.
- 164 CSP Scot,i, 495-8.
- 165 C.Haigh, (ed) The reign of Elizabeth I, (London, 1984), 2-3.
- 166 In the English Parliament of 1559, Elizabeth while contenting herself with the vague et cetera to get round the problem of her position as supreme governor of the Church of England, did not scruple to be proclaimed 'Elizabeth, Queen of England , Ireland and France'. Elton, England under the Tudors, 270. It will be seen in chapter seven of this thesis that the English still clung on to Edward I's claims of sovereignty over Scotland when it suited them to do so.
- 167 Donaldson, James V-VII, 104, Knox, History, i, 350, CSP Spanish, 1558-67, 214, are in agreement that this was Elizabeth's favoured solution.
- 168 It was one of the rare occasions when Elizabeth and Knox were in agreement over a major item of policy, ibid., i, 350-1. The Hamiltons were of course the principal advocates of the scheme, CSPScot,i,504-5, 522.
- 169 CSP Scot, i, 518-21, CSPF, iv, 55-6.
- 170 For Mary's attitude to the Hamiltons see Throckmorton's report in CSPF, iii, 473. Mary's refusal to respond positively to Arran's suit has been alleged to have contributed to his insanity, Donaldson, James V -VII, 109. Knox, History, i, 351.
- 171 CSP Scot, i, 511, 520. Read, Cecil, 221, and Russell, Maitland, 95 are in agreement on this point.
- 172 ibid., i, 511 and 518, for Maitland's urgent attempts to win Cecil round to his policy of 'alluring' Mary into friendship with Elizabeth, which he had opened to Cecil in London while staying in Ralph Sadler's house.
- 173 It was certainly, as will be seen in the next three chapters of this thesis, Maitland's main goal until 1567.
- 174 This is one of the chief arguments of J. Wormald, Mary Queen of Scots: A Study in Failure, (London, 1988), see 'the reluctant ruler' chapter 5, 102-28.
- 175 BL Add. 35.125 f4.

- 176 CSP Scot, i, 506-7.
- 177 *ibid.*, 517.
- 178 *ibid.*, 518.
- 179 CSPF, iii, 514.
- 180 CSP Scot, i, 491 for the description of Lumsden and *ibid.*, i, 405 for Ogilvy acting as the envoy for Mary of Guise.
- 181 *ibid.*, i, 481.
- 182 *ibid.*, i, 516, for Maitland's contact with Forbes.
- 183 SP. 52.6.21.
- 184 *ibid.*, and CSP Scot, i, 516-8.
- 185 *ibid.*, 517.
- 186 Lynch expressed this view in Edinburgh and the Reformation. It is arguably not without relevance for the Reformation as a whole.
- 187 CSP Scot, i, 543.
- 188 *ibid.*, i, 536-7.
- 189 *ibid.*, i, 536-7.
- 190 Keith, History, iii, 213.
- 191 Maitland repeatedly sought to convince Elizabeth of this. His letter to Cecil of 9 August 1561 is perhaps the best example of this, *ibid.*, iii, 211-6.
- 192 CSP Scot, i, 512.
- 193 *ibid.*, i, 509-11, 516-18 and 521.
- 194 *ibid.*, i, 510, 517.
- 195 *ibid.*, i, 510.
- 196 *ibid.*, i, 509.
- 197 Knox History, i, 351-2.
- 198 *ibid.*, i, 352.
- 199 CSP Scot, i, 513 and 515. For Anderson's continuance much to the chagrin of the Kirk see BUK, i, 141-4. For Strachan's continuance as Secretary see RPC, i, 157, whilst Lesley's prominence requires little explanation..
- 200 CSP Scot, i, 509-11, and Knox, History, i, 344 ; For Maitland's attitude to the First Book of Discipline, see Knox, History, ii, 26-7.
- 201 Knox, History, i, 343-5 and ii, 26-8.
- 202 Lord James restated Maitland's idea for the salvaging of the amity

- while in London, *en route* to Paris. He put the same in writing to Elizabeth in August, CSP Scot, i, 540-41.
- 203 Addit. MS 32,091 f189.
- 204 Leslie, History, (Bannatyne Club, 1830) 294.
- 205 Lynch, Mary, 7.
- 206 Huntly's conduct was causing concern even before Francis' death - Lumsden one of the four commissioners was suspected as Huntly's secret agent, CSP Scot, i, 491. *ibid.*, 513-4, 32, for later fears. See Keith, History, iii. 215, for fears of division between Lord James and Châtelherault.
- 207 Keith, History, iii, 211.
- 208 Spottiswoode, History, i, 372.
- 209 *ibid.*, i, 372.
- 210 His letter of 9 August is in Haynes, State Papers, 369; 10 August is in Keith, History, iii, 211-6, and 15 August, CSP Scot, i, 544- 5.
- 211 *ibid.*, Haynes, 369
- 212 Keith, History, iii, 211-6.
- 213 *ibid.*, iii, 212.
- 214 Throckmorton's esteem for Mary's abilities is particularly evident in CSPF, iii, 472-73, in which he praises her wisdom beyond her years and maturity in seeking good counsel - an in-direct gibe at Elizabeth, then in the throes of her romance with Dudley; see Hay-Fleming, Mary, 228-9 and authorities therein. Maitland shared Throckmorton's regard, Keith, History, iii, 212, CSP Scot, i, 564.
- 215 W. Ferguson, Scotland's relations with England: A survey to 1707, (Edinburgh, 1977), 74
- 216 Keith, History, iii, 211.
- 217 CSP Scot, i, 545.
- 218 *ibid.*, i, 213
- 219 *ibid.*, i, 212.
- 220 *ibid.*, i, 215-6.
- 221 *ibid.*, i, 544-5.
- 222 *ibid.*, i, 544-5.
- 223 *ibid.*, i, 544.
- 224 *ibid.*, i, 544.
- 225 Maitland's mission is discussed in detail in the next chapter. The

best account of it is in J.H. Pollen (ed), A letter from Mary, Queen of Scots to the Duke of Guise, (SHS, 1904).

226 Maitland Poems, 16-18.

CHAPTER FOUR

THE FIRST YEAR OF MARY'S RULE

1561-1562

For in the memory of man that day of the year was never seen a more dolorous face of the heaven than was at her arrival...for besides the surface wet and corruption of the air, the mist was so thick and dark that scarce might any man espy the length of two pair of boots. The sun was not seen to shine two days before nor two days after.¹

John Knox's description of the apocalyptic weather conditions of 19 August 1561 may not be very reliable as meteorological data but it certainly draws attention to one of the major landmarks of Scotland's history, Mary Stewart's return to Scotland and the commencement of the nation's first experience of the personal government of a female sovereign. That the Scots warmed to the prospect is perhaps reflected in the fact that the early years of Mary's reign are commonly regarded even by her sternest critics as something of a success. As this chapter dealing with the establishment of Mary's government and Maitland's leading role in that process will try to show, it is difficult to see how they can be regarded otherwise. For Maitland, as for so many others, Mary's return marked the beginning of a distinct new phase in his political career. Immediately confirmed in his position as Principal Secretary, for the first but certainly not the last time, he could be properly regarded as the minister of Mary Stewart.

The Problems Facing Mary On Her Return

The successful resumption of adult personal rule by a Stewart monarch following a long minority was not a new feature in the political life of the nation. Indeed, in this respect Mary's successful return after nineteen years of minority rule can be seen as a mere continuation of the well established traditions of her Stewart forebears. There was, however, much that was unique in her position and it is difficult to accept the view that the years of Mary's minority like those of her father and grandfather before, had acted as some sort of beneficial safety valve.² The consequences of Mary's minority were far more

serious than anything her ancestors had faced. The diplomatic and religious Reformation of 1560 had eroded two of the supporting pillars of the Stewart monarchy, the Catholic Church and the French alliance. It was not possible for Mary in the way that her predecessors had so conspicuously done for generations to encourage actively the twin national promotion of Catholicism and a hostile suspicion of England. Added to this were the more typical problems facing a Stewart monarch after a long minority. The personal reigns of her father and grandfather had both begun with a crisis in the Crown's relations with the nobility while it has been acknowledged that 'the key to the stability of any Stewart reign lay in finance'. It is hard to believe that the success Mary enjoyed in managing this clearly difficult situation - in particular avoiding the need to levy unpopular taxes - can be put down as has recently been suggested to a combination of 'luck and gun barrel vision'.³

Mary's Successful Management

Almost from the start of her reign Mary displayed a skilful adroitness in establishing herself in her realm. Within six days she had addressed the religious problem in possibly the best way imaginable, proclaiming her recognition of the status quo whilst reserving her own right to worship as she herself wished.⁴ Within two weeks by sending Maitland in embassy to London she had turned her attention to what had been the most significant aspect of Scottish foreign policy over the last two years, the relationship with England.⁵ Within three weeks she had embarked on her first royal progress through her realm, travelling to Linlithgow, Stirling, Kincardine, Perth, Dundee and St Andrews, a feature that was to become the trade mark of her personal reign.⁶ More so than any other Stewart monarch, Mary displayed a willingness to act upon the parliamentary advice given to both James III and IV to travel throughout the realm and to give access to their subjects. Mary's clear enthusiasm for this particular method of government was perhaps one of the most beneficial of the many French influences that can be discerned at work during her reign.⁷ All these measures are far more in keeping with the image of a diligent monarch, gathering the advice of her counsellors and prudently addressing matters of state, rather than that

of the conspicuously reluctant ruler, displaying a marked indifference to the problems of her native land.

It has been alleged, however, that Mary's personal reign was marked by both these detrimental features and that in an era characterised as the age of the council and of the Secretary, her selection of both her council and Secretary thoroughly vindicates such a view.⁸ It has further been argued by the same author that Mary was blandly and blindly indifferent to the choice of her key personnel; making no choice at all but simply inheriting the existent office bearers and, as far as it is possible to judge in the absence of the privy council records of Mary of Guise's regency, the existing privy councillors as well. This allegation is especially pertinent to this thesis on the career of the Scottish Secretary of State and must be dealt with.

The evidence suggests an altogether different picture. The intense diplomatic activity that took place between Mary and her subjects during the interim of Francis II's death and her return to Scotland eight months later, emphasised Mary's grasp of the central importance of the council and of the Secretary.⁹ Maitland, after having received a stinging rebuke and ultimatum from Mary in June 1561, which clearly spelt out the conditional terms of his continued employment as Secretary, certainly did not view Mary as indifferent.¹⁰ Neither did Morton or Argyll, two of the original signatories to the First Band of the Congregation in 1557 and subsequently two of Mary's principal privy councillors. It would appear from the obsequious grovelling so evident in the letters these earls sent to Mary in February and March 1561 that she had also made the terms of their continued prosperity abundantly clear to them.¹¹ Other letters sent by men with much less to fear, such as the earl of Cassillis who had voiced his opposition to the proceedings of the Reformation parliament, also show an earnest desire to win Mary's favour.¹² It is not being too adventurous to suggest that the response of these three earls was perhaps typical of the reaction to the 300 or so letters Mary had sent into Scotland with her four commissioners as early as January 1561 signalling her firm intention to return.¹³ It would appear that well before her return in August, the 'reluctant ruler' had long since begun considering the matter of her future government.

It is actually difficult to see how Mary could have handled the matter of her return any better. She had made it clear to her subjects that she was prepared to forgive past misdemeanours and to start afresh.¹⁴ In response to this she had received many written and personal assurances of loyal support from her subjects. Perhaps the most striking feature of Mary's return in 1561 was the marked willingness on the part of herself and the nobility to take each other at their word. In 1564, Maitland loudly praised Mary's 'beningtie thir thrie yeiris with the mair that scho hes lived in government over yow' and her success in obtaining,

sik dew obedience as a just prince can luk for at the handis of faithfull and obedient subjectis, I meane na forceid nor unwilling obedience, quilk I knaw hir nature dois detest, bot sic as proceidis fra the contemplatioun of hir moderat kynd of regiment will for luff and dewties saik produce the fructis thairof.¹⁵

This delicate balance based on the traditional, mutual relationship between monarch and subject was far more preferential than any other alternative open to Mary in 1561.

It has been suggested that Mary should have conducted a wholesale clear out of councillors and office bearers.¹⁶ If, however, Mary had favoured this aggressive approach and dismissed *en masse* the existing administration, she would then have been faced with the difficult problem of establishing new criteria upon which to base the selection of her council and ministers. If that criteria had included the rejection of all those who had shown some support for the Congregation then she would have barely been able to staff a plausible privy council at all. She may, just possibly, have been able to create a council which fulfilled the Congregation's earlier demand for 'government by born men of the realm' but it would have been one that out of necessity could not have avoided a *parvenu* image, which, in a society ever conscious of rank, tradition and privilege would have been a highly inflammatory gesture. As it was, the second chance that Mary made clear she was prepared to give her subjects was in effect, a vote of confidence in the political community and proof of an impressively incisive, political judgement which avoided many unnecessary pitfalls. It was a decision that worked particularly well as far as Maitland was concerned. He voiced his approval to Cecil of Mary's decision to 'trust her person in

our hands' and his firm intention to respond dutifully to his sovereign.¹⁷

The same prudence so evident in the selection of her council was shown also in her immediate response to the religious issue. This again was not a hasty decision but one taken after careful consideration of the alternatives open to her. Mary had been given two clear alternatives from her subjects before her return. Lord James on behalf of the provisional government had offered her in June 1561 the emphatic advice that 'for the love of God madam press no matter of religion, not for any man's advice on the earth'.¹⁸ This was in stark contrast to the prospect of a Catholic crusade tendered to her from the earl of Huntly via the offices of John Lesley.¹⁹ Her royal proclamation of 1561 signalled her acceptance of Lord James' advice and in a sense was the epitome of her conciliatory and conciliar style of government in these opening months. Mary followed the policy favoured by the majority of her counsellors, a decision that was swiftly vindicated by the support of Lord James and Maitland in defence of her Mass. It is to be noted, however, that Mary very wisely did not ostracise or exclude Huntly from her council as a result of his desire for a Catholic restitution. He was immediately confirmed in his position as Chancellor and it is difficult to see how his total eclipse the following year at Corrichie could have been anticipated at this juncture.²⁰ It does not appear to have been a pre-determined policy on Mary's part.

It must, however, be recognised that Mary's decision to follow Lord James advice was undoubtedly shaped by the conference convened at Joinville by the Cardinal of Lorraine and attended by several experienced French campaigners in Scotland, Jacques de la Brosse, the vicomte de Martigues and the Bishop of Amiens, Nicholas de Pellevé.²¹ These men all favoured the adoption by Mary of a friendly stance towards Elizabeth. This Joinville conference is a timely reminder of a further vital aspect of Mary's personal reign, the continued influence exerted over her by her French kindred. This Guise factor was, however, something of a two-edged sword for Mary. Undoubtedly it provided a source of family stability and solace but it also provided advice which often conflicted with that tendered by her Scottish counsellors. Maitland had to contend with this problem and he was undoubtedly

helped in this first year of Mary's reign by the degree of similarity in the aims of her French kindred and his own. In 1562 the Guises were even prepared to allow Mary to embrace Anglicanism, a line that was not at all unpalatable to Maitland.²²

The religious problem was not settled by the Proclamation but it did provide a valuable *modus vivendi* which enabled government to go on. When Mary did confront the problematical question of the new Kirk's endowment it was once more with the approval of the council. This suggests that the criticism of the allegedly limited business the council undertook is somewhat specious.²³ As well as providing the forum wherein the endowment of the Kirk was formulated, throughout Mary's reign decisive matters of national importance in both domestic and foreign policy continued to be discussed in the council. It is noticeable, for example, that the chief issue of Mary's foreign policy in these early years, her desire for a meeting with Elizabeth, was approved by the council.²⁴ Similarly, the stringent measures Mary took to ensure regular attendance at the council whilst she was on progress also suggests an acute awareness rather than indifference to the importance of the privy council as the main organ of government.²⁵

Long before the patrimony of the Kirk had been resolved, the prominence of Maitland at the heart of Mary's government had been confirmed. Within fifteen days of Mary's arrival he had been dispatched to London to prove his worth in the field that had hitherto been his *forte*, Anglo-Scottish relations. It was the first of many diplomatic missions he was to undertake on Mary's behalf and for that reason alone is immensely significant. However, its significance extends far beyond any novelty factor. Most of Maitland's diplomatic forays had a major bearing on the development of the amity and this unusually brief embassy (he left Scotland on 2 September and had returned by 24 September) was no exception.²⁶ It provided the English with a vivid realisation of the profound effect Mary's successful return had upon the future direction of Anglo-Scottish relations. Maitland had long since grasped that in the light of Mary's impending return the future of the amity was entirely dependent upon the construction of a new deal acceptable to Mary. He had already made it clear that the only way to achieve this was through Elizabeth's recognition of Mary as her heir.

His embassy in September 1561 was to see the emphatic restatement of this view.²⁷

The Condition Of The Amity

So profound was the impact of Mary's return that although the term amity continued to be bandied about by the ministers of both countries, the appositeness of it to describe the condition of Anglo-Scottish relations during Mary's personal reign must be questioned. In the next chapter it will be seen how Maitland in November 1562 was able to expose the amity for what it was, nothing more than a precarious, private, personal friendship between the two queens unendorsed by any public contract. This first mission anticipates that disclosure and reveals that at this early stage of Mary's reign the halcyon days of the amity were already over. In truth they were over in December 1560, when the rejection of the Arran match was swiftly followed by the news of Francis II's death. From that point, even Maitland, arguably the architect of the amity that had proved so successful in 1560 never displayed the same unqualified, subservient willingness to embrace the English alliance.²⁸

It would of course be rather naive to suggest that the amity had ever been anything other than conditional on the part of the Scots or the English. Even the prospects offered by the Arran marriage proposal - which can rightly be regarded as the zenith of the Scots' desire for perpetual amity with England - was conditional upon the acceptance by Elizabeth of Arran as her husband. The amity had never been an altruistic arrangement for either party and indeed had only progressed thus far because of the demonstrably mutual need of 1560. The English, with their perennial need for security on their northern frontier had responded positively to the request for military intervention and secured the victory of the overwhelmingly anti-French Congregation. As well as securing the removal of the pro-French government of Mary of Guise, the English were also to be rewarded by the perpetual friendship and undying gratitude of the Scots based on a common religious bond, which according to Maitland was 'the straitest knot of amity imaginable'.²⁹ Mary's return showed how hollow those assurances were, as well as proving how easily that tight religious knot could be

loosened. The uncomfortable political reality for England in 1561 was that the amity was now fundamentally conditional upon the recognition by Elizabeth of Mary as her successor. English friendship and sincerity had to be proved all over again if the Scottish alliance was to be retained.

The colder, more strained phase of relations between England and Scotland that Mary's return ushered in was more of a detente than an amity. At the time of the Arran match the Scots could not praise the selfless and godly support of Elizabeth enough, who, according to Maitland, 'God hath appointed to be the mayne instrument and only worker of our deliverance'. This rendered the Scots perpetually indebted to her and ensured they would remain 'always thankfull and suffer not the remembrance of so great a benefit suddenly to perish'.³⁰ It is remarkable just how quickly this indebtedness was forgotten. Maitland himself was spectacularly hypocritical in this respect. He had promised Elizabeth in December 1560 that 'hereafter if matters so fall out that by occasion the service of our nation may stand your majesty in good stead your highness may be well assured that which we now profess in words will be uttered in effect'.³¹ Within weeks of Mary's return Maitland made it clear that this gratitude would not include the recognition of the Treaty of Edinburgh:

I enter nocht in dispute how that trefy was past nor be quhat authoritie but this far I am assurit the commissioun was very slender to transfer fra the quene my souerane the titill of a kingdome and debar hir frome it perpetwally.³²

Maitland as one of the signatories to the concessions the Treaty granted to the Scots knew very well by whose authority it had been passed but now amnesia and a new patriotism were the order of the day.

It is striking just how differently at various key points in his career Maitland viewed the English intervention of 1560. The Arran proposal marked the benevolent, altruistic end of Maitland's spectrum of appraisals whilst the view he expressed in 1567 'that we think the quenes majesty in the opinion of her owne counsell and all the worlde tooke as great benefit by that change as the realm of Scotland did or any particular person' marked the other extreme.³³ The line Maitland seems to have taken on Mary's return lay somewhere in between these two points but his convenient dismissal of the Treaty of Edinburgh

suggests that it was perhaps closer to the latter than the former.

This hardly subtle change of emphasis is a warning of the dangers of accepting the traditional notion of the amicable nature of Anglo-Scottish relations during the early years of Mary's reign. It is true that this period was to witness a proliferation of hyperbolic expressions of mutual good will, love and affection between the two queens and also that the vision of a united Protestant realm continued to be the incentive Maitland laid before the English.³⁴ Maitland was no doubt in genuine sympathy with this aim and was prepared to countenance extremes of sycophancy in order to achieve it. These diplomatic devices were, however, constantly underpinned by an entrenched firmness not to compromise on the main issue, Mary's rights to the succession. This fact holds the key to the progress of the amity from 1561 onwards. Its prospects were only propitious for as long as Mary perceived that the recognition of her claim was a distinct possibility. In this sense Maitland's embassy of 1561, with his firm insistence that the concession was the 'onellie moyan thairin quhairby the principall difference micht be honorablie composit and takin away', provides a very accurate portent for the future course of Anglo-Scottish relations during Mary's personal reign.³⁵ It is on that mission that attention will now be focused.

Maitland's Mission Of September 1561

Maitland's own detailed account of the mission from which it is possible to deduce not only what he set out to achieve but what he actually accomplished compensates for the fact that his official instructions are incomplete.³⁶ Ostensibly it would appear that he was sent to announce Mary's safe arrival and to deliver her expressions of good-will to Elizabeth but it is incontrovertible that he had far more substantial business to carry out. In a clever diplomatic manoeuvre, Maitland carried two sets of instructions and two letters for Elizabeth, one from Mary herself and the other from the nobility.³⁷ The nobility's letter was far more strident than Mary's and Elizabeth confessed to being taken aback by the 'menacing' tone of their missive.³⁸ That Maitland was able to show Elizabeth that it was the same nobility who so recently had expressed their addiction to her and England's service

and not Mary who had persuaded him to prosecute his proposal for the future of the amity was further indicative of Mary's success in winning her subjects to her side. Mary's ability within two weeks of her arrival to get the nobility to act so aggressively on her behalf and thus avoid incurring the personal wrath of Elizabeth sits somewhat uneasily with the image of the inept queen.

Unquestionably, the nub of Maitland's embassy revolved around his proposal, formulated months before, that Mary should be recognised as Elizabeth's successor in return for her ratification of a modified Treaty of Edinburgh. His three interviews with Elizabeth during the course of this embassy repeatedly returned to this same point. It was hardly surprising that Elizabeth later complained to Sir James Melville that Maitland 'did ring always her knell in her ears, talking of nothing but of her succession'.³⁹ Maitland's arguments provided a clear indication of the aggressive tone of the Scottish line at this time. He reminded Elizabeth of her own doubtful status in the eyes of Europe and of how this contrasted with the opinion of the legitimacy of Mary's claim which 'in the judgment of forayne nations is without all controversy'.⁴⁰ Whether Maitland actually expressed himself as frankly as he said he did is open to question. It ought to be remembered that his account was intended for the consumption of Mary and her Guise kindred and was probably tapered accordingly, a timely reminder both of the continued close links between Mary and her French family and of Maitland's deviousness.

As well as being an excellent indication of Maitland's insistent attitude towards the amity and the succession, his mission was no less accurate in depicting the sclerotic state of Elizabeth's mind on the subject. Elizabeth was at least as strident and determined in defining her own position as Maitland had been in his. Maitland can hardly have been aware of the services he was rendering to future generations of historians but it was during the course of this embassy that he provoked a startling procession of what have become perhaps the most quotable quotes of Elizabeth's justification of her policy towards the succession.

While there were hints of the same deliberate ambiguity so inherent in Elizabeth's Church settlement and her avowed determination not to

make windows into men's souls, Elizabeth's statement that 'The succession of the crown of England is a matter I will not meddle in but as the sacrament of the altar sum thinks a thing sum other whose judgement is best God knows', was underpinned by a dogmatic insistence that 'For so long as I live there shall be no other Queen of England but I'. Elizabeth made it clear that Maitland's proposal was distinctly unpalatable, 'this desire is without an example to set my winding sheet before my eye... think you that I could love my own winding sheet'. Having spent her formative years during what has been termed the 'Mid Tudor crisis' Elizabeth had good reason for such an attitude. She was critically aware of the 'inconstancy of the English people how they ever mislike the present government and have their eyes fixed upon that person that is next to succeed' and never seems to have altered her belief regarding Maitland's proposal that 'in assuring her (Mary) of the succession we might put our present state in doubt'.⁴¹

If Maitland could have discerned that in his negotiations with Elizabeth during these first weeks of Mary's reign he had achieved as much progress as he was going to make in the succession issue, then the story of Anglo-Scottish relations in the first half of the decade of the 1560s would have been very different. The reason why Maitland did not recognise that he had already arrived at the impasse which was ultimately to wreck the amity and remained sanguine of achieving the major concession is simple. Elizabeth, as she was to do for the best part of the next four years deliberately gave him the impression that some sort of compromise was possible. It was in her and England's interests to promote such a policy. Cecil was particularly aware of the obvious benefits of keeping 'the Scottish Queen's affairs hanging in an uncertainty'.⁴² It would have been grossly impolitic at the commencement of Mary's reign to have immediately alienated her by rejecting out of hand her claim to the English succession.

The English, if not in desperate need of Scottish support, could certainly well do without Scottish enmity. A discontented Ireland was perhaps an inevitable and uncomfortable fact of life but a hostile Scotland, barely a year after it had seemed that they had so expensively and successfully bolted the postern gate which for centuries had posed such a dangerous threat to their national security,

was not a palatable prospect. The English knew that Mary's return had unbolted that door but it was as yet unclear how wide it had been opened. England's chief concern was to ensure it remained closed; the problem was how. They could not employ the same tactics as in 1560. Action against a divinely sanctioned and resident sovereign was never high on the Elizabethan agenda and Maitland's mission had made it clear that there was little chance of the Scottish nobility doing it for them. The only way was to encourage Mary to close it herself and an immediate rejection of her overtures for the succession was not likely to achieve this. In response to this dilemma Elizabeth concocted what could later be identified as a classic Elizabethan cocktail of diplomatic finesse: a torpid combination of delay, prevarication and faint promises designed to give Mary the impression that a favourable response to her claim was negotiable. It was an excellent and inexpensive way of avoiding decisive action and prematurely rupturing relations between the two countries.

Maitland's Optimism

Maitland had not returned to Scotland in a despondent mood. He had received the first of a long series of tantalising encouragements that a compromise could be reached. He felt that Elizabeth preferred Mary's claim to all others and had reason to believe that she was prepared to modify the Treaty of Edinburgh. As a prelude to this Elizabeth had specifically sanctioned the further development of the special relationship between Maitland and Cecil as the best means of achieving a workable compromise. The two Secretaries were to liaise closely together to work towards this goal.⁴³ Cecil was a good deal less willing than Maitland to play along with this scheme, but this is to anticipate. Maitland also later alleged that it was during the course of this embassy that he had been given encouragement by a meeting at Hertford Castle with Dudley and Cecil of the prospect of a meeting of the two queens and also tacit recognition of his proposal as the basis of the future of the amity.⁴⁴ Whether this is true or not is debatable and it is unlikely that Cecil ever approved of Maitland's scheme. Dudley, however, seems to have been a much more earnest favourer of the proposal and indeed throughout his career seems to have been far more

warmly disposed towards the interests of Mary than Cecil ever was.⁴⁵

Maitland's optimism can be said to have been justified by the generous and courteous treatment afforded to Mary's uncle the Grand Prior and the Constable's son Monsieur d'Amville by the English on their return journey to France through England in October 1561. This has been seen as the first fruits of the amity between Mary and Elizabeth and an indication of the propitious prospects for its future.⁴⁶ This interpretation however, must be qualified. It is difficult to see how Elizabeth could have avoided treating her French company with anything other than exceptional kindness. After her unhappy refusal of the safe conduct to Mary just three months earlier she had a good deal of diplomatic ground to make up. The extension of the usual courtesies to her distinguished foreign guests in October was a painless enough way of repairing the self-inflicted damage of the previous August. This did not, however, prevent Maitland and Lord James congratulating Cecil and Dudley on their kindness and capitalising on it as a token of the amity between the realms.⁴⁷

This in itself provides a glimpse into one of the most striking and important features of Anglo-Scottish relations up until 1565; the emergence of the 'gang of four' of Maitland and Lord James on the one side and Cecil and Dudley on the other. The diplomatic activity of these men provides the main focus for the progress of the amity through the often stormy waters of 1561-5. It was they who provided the main channel of communication between the two nations. The two Scots were to be consistent in delivering their gently phrased but firmly entrenched insistence that recognition of Mary's claim was the only guarantee to the perpetual amity of the realms. As hinted at earlier, they seem to have found Dudley a far more willing partner than Cecil. It was through the effective use of this channel of communication that Maitland together with Lord James sought to build on the success of his first mission by exerting intense diplomatic pressure upon the English for a meeting of the two queens. The notion of the 'interview' as it came to be termed, possibly did originate from Elizabeth as early as the summer of 1561 but from the early autumn of 1561 Maitland was the main proponent of the project.⁴⁸ It provided the main thrust of his

diplomatic campaign and indeed dominated the Anglo-Scottish agenda for the best part of the following year.

The Stop-Go Amity

It would, however, be foolish to regard the prospects for the amity and the development of Anglo-Scottish relations as overly propitious in the winter of 1561. Although effective channels of communication had been established between the chief ministers of the two countries as a precursor to the opening of a personal correspondence between the two queens and the 'interview' had been placed firmly on the agenda, the progress of the amity was at best a stop-go affair with prospects of success punctuated by long periods of frustrating uncertainty and a lack of co-operation. The underlying tension of the situation was often only too discernible amidst the fulsome expressions of love and affection between the two queens. Perhaps the best illustration of this more pessimistic but arguably more realistic appraisal is provided by the outcome of Sir Peter Mewtas' mission to Mary in October 1561.⁴⁹

Mewtas had been sent to Mary from Elizabeth in response to Maitland's own journey to England, to congratulate Mary formally on her safe return to Scotland and to demand the ratification of the Treaty of Edinburgh as it stood. This was in clear contradiction to the more optimistic interpretation Maitland had put on the matter. Mary replied to Elizabeth with fulsome thanks for the sending of Mewtas, offering expressions of tender, love and amity towards England but she refused Elizabeth's request, suggesting instead that commissioners should meet to modify the treaty.⁵⁰ Cecil, in characteristic fashion quite accurately perceived that Mary's intention in doing this was to be rid of the treaty altogether and to have it replaced by a new agreement along the lines suggested by Maitland.⁵¹

The five weeks it took Elizabeth to reply to Mary's letter of 5 October to restate her opposition to Mary's proposal is a further indication of the slow tempo of Anglo-Scottish relations at this time. There was, though, a hint of compromise evident in Elizabeth's politely phrased reply of 23 November.⁵² She would not agree to Mary's proposal of appointing new commissioners but was prepared to listen to Mary's objections to the Treaty as it stood through the private offices of

Randolph. There was an even longer delay of seven weeks before Mary eventually replied to Elizabeth's message on 5 January 1562.⁵³ All the evidence suggests that this long delay was not of Maitland's or Mary's choosing. It was due entirely to Cecil's unwillingness to offer Maitland guidance as to how best phrase the letter to Elizabeth's liking despite incessant requests for the same.⁵⁴ It was to be a further twelve weeks before Mary was to receive a reply to her January missive.⁵⁵

It was Maitland who drew up Mary's letter to Elizabeth of 5 January and sent one of his own to Cecil. The two carried complementary messages and have been acknowledged even by Maitland's bitterest detractors as testaments to his great skill and tact in presenting Mary's case, diplomatically and persuasively without any helpful English advice.⁵⁶ Maitland eloquently restated Mary's stance on the Treaty of Edinburgh, her desire to live in perpetual amity with Elizabeth and his own aspirations for the day when the two queens would be brought together 'at which time I doubt not but the one of them shall so governe the other that thereafter they shall neade no mediators and then I shall say nunc dimittis servum tuum domine'.⁵⁷ The timing and provenance of this January correspondence is significant. It was sent from Seton Palace where Mary had spent the New year celebrations, an occasion which was - it is likely - marked by Alexander Scott's presentation to Mary of his poem *Ane New Year Gift*.⁵⁸ It is highly probable that Maitland's father Sir Richard, the proud 'docteris son' of Seton and their near-neighbour who shared his kinsman's Catholic sympathies and like Scott, a distinguished poet, was present at these festivities; which illustrate the Maitland family's great credit and presence not only in Mary's government but in her court as well.⁵⁹ This combination of government, culture and leisure provides another reminder of the renaissance atmosphere that surrounds the personal reign of Mary Stewart.

Maitland's Frustration With Cecil

Cecil's reluctance to assist Maitland represents the first breach between Maitland and the man he continued to refer to in filial, almost reverential terms. Maitland sought to entice Cecil into providing some helpful advice by playing on their long-standing friendship, emphasising

that 'whatsoever advancement I may come to I take the beginning and root of it to spring from you' and urging him 'to finish the building that you have begun in me'.⁶⁰ Just how unwilling Cecil was to fulfil that work together with the other predominantly British aspirations that had played such a prominent part in his earlier thinking, was a marked feature of his conduct in the decade ahead. Cecil's British strategy had not incorporated or anticipated the return of Mary Stewart and he remained impervious to Maitland's incessant badgering for advice as to how Mary should proceed. It is possible to argue from this that Maitland's unionism was of a more determined brand than Cecil's as his own earlier vision of a united isle had not envisaged Mary's return either. However, it must also be acknowledged that Maitland - unlike Cecil - had the very pressing motive of satisfying Mary's desire for recognition in the English succession to fuel his unionist zeal.

After months of continuous frustration with Cecil's manner of dealing, Maitland began to give vent to his feelings. He remonstrated sharply with Cecil for his apparent disregard for Elizabeth's wish that 'for the more secret and better conveying of all matters to a good end and to put them in some surety before they should be uttered to the world that you and I should freely write to one another'.⁶¹ He had had enough of Cecil's obscure parables and his 'brief and dark sentences' and demanded some plain, open dealing and encouragement.⁶² He reminded Cecil that 'We shoot both at one scope which is the union of this isle and therefore it is not convenient that we shall deale together as strangers one seeking advantage of the other'.⁶³ and warned him that if he did not 'open yourself more to me at large than you have done heretofore in the principall matter' then he would make his complaint straight to Elizabeth.⁶⁴ As ever, though, Maitland retained a realistic view of what his protests were likely to achieve. He could not afford to alienate Cecil and indeed did not want to lose the closest channel of communication to Elizabeth and admitted as much to Cecil, saying that he 'would rather guess at dark letters than have none'.⁶⁵

Throughout his negotiations with Cecil at this time Maitland expressed his own continued commitment to the union of the realms but also his own extremely delicate position in Scotland, emphasising the dangerous situation he and Lord James were in. This was something

Randolph also emphasised in describing Maitland's dilemma to Cecil:

The more peril to be thonely autour, counsellour and perswader in so waightie a matter. Whoe is ther also with whom he maye so dieplie wade in these matters as ether wyll tak equale parte of the burdayne or wyll not hastelye shyfte oute hymself yf anye disadventure arrive.⁶⁶

Maitland perhaps exaggerated his discontent that Mary 'in these caases will employ none other but me althogh I have earnestly pressed the contrary'.⁶⁷ Confidently, if not arrogantly aware of his own abilities he seems to have preferred his unrivalled position of influence with Mary and to begrudge power sharing.⁶⁸ However, there is little reason to doubt the sincerity of his plea to Cecil before his proposed visit to London in May 1562, 'I pray you let me tak no voyage on hand oneless the success may fall out according to my desire for I list not alwayes totravell in oncertayntees, he that will hasard must sometimes lose'.⁶⁹ In his prosecution of Mary's claim to the succession Maitland almost always had to 'hasard' and he did lose.

It was during this difficult period of early 1562 that Maitland produced one of the most memorable of all the letters amongst his voluminous correspondence with Cecil. It was as much an expression and defence of his own political philosophy as it was of his lifelong commitment to the union of the realms:

I have in a manner consecrated myself to the commonwealth. The uniting of this isle in friendship hath in my concept bene a scope whereof I have long shot and wherunto all my actions have bene directed these five or six years. I preassed at in Queen Mary's dayes although frustra. In the Quene your maistress tyme many and diverse wayes and as ever as one occasion doth fayle me I begyn to shuffle the cards off new alwayes keeping the same ground. I shall not weary so long as any hope remayneth.⁷⁰

The complex question of Maitland's political philosophy will be discussed in greater detail in a later chapter but it is sufficient to note at this point that he viewed his capacity to adapt to changing circumstances and ability to, 'shuffle the cards anew' as an essential political virtue. Knox, and later many more were not to view it in so favourable a light. In October 1561 Knox accused Maitland as one of those 'delighting to swim betwixt two waters' and had written to that effect to Cecil.⁷¹ Whether Maitland's reaffirmation of his firm unionist zeal reassured Cecil of his constancy is not clear but it was certainly timely. Cecil had already begun to suspect Maitland, warning him of of

'doubleness' and 'paedogogy' and Lord James of 'legerdemain'.⁷²

This persistent hectoring of Cecil in particular illustrates one further important aspect of Anglo-Scottish relations at this stage: it was the Scots, Maitland and Lord James in particular who were forcing the pace with a reluctant England. It has already been noted that a successful alliance between the two countries could only be maintained if the benefits of such an amity were seen to be clearly mutual as in 1560. The ultimate collapse of the amity was due to the failure of Maitland's ceaseless attempts to convince the English that the benefits were still mutual and that, if anything they would be the principal beneficiaries. He was unable to convince Cecil that in recognising Mary as her successor, Elizabeth was the real winner as Mary's gains were dependent on a 'futura eventu' and highly unlikely.⁷³ Maitland used a similar tactic to promote the 'interview', laying great emphasis on the potential benefits to England of such a meeting. The best chance, according to Maitland and Randolph, of Mary embracing Protestantism was through the personal influence of Elizabeth:

And before God neither the L. of Lidington nor I can be perswaded that she will give over her Mass till she have spoken with the Q Majestie that it might seem rather she doth it on such reasons as the Q Majestie will use unto her than to be forced thereunto by her people.⁷⁴

Cecil, with the same reluctance that characterised his disinclination throughout Mary's personal reign to do anything in favour of her claim to the succession, was not in favour of the interview. The decision to grant it was unquestionably Elizabeth's as Cecil himself admitted: 'This interview is hardly got out of this Council; only the authority of the crown had got consent thereto and it is strange to see the vehemency of Her Majesty here'.⁷⁵ It is important to note just how early in Mary's reign Maitland's distinct disenchantment with this lack of progress and cooperation from his English counterpart emerged. Maitland seemed to deduce very early on the English desire to leave matters hanging in suspense.⁷⁶ This fraught, tense atmosphere must be acknowledged if an accurate appraisal of Anglo-Scottish relations at this time is to be gained. If such an interpretation is accepted, then the ultimate failure of the amity becomes a lot less surprising and a good deal less sudden. It also explains why Mary had so ready an alternative to pursue in 1565. Quite simply she had been left waiting for too long.

Progress At Last

At the turn of 1562 the prospects of the amity were hardly propitious but by the summer of 1562 they had improved to the extent that an interview between the two queens appeared an almost certainty. What had provoked this significant up-turn? The incessant Scottish pressure certainly played a vital part, as did the efforts of the resident English ambassador in Scotland, Thomas Randolph. Randolph, although critical of Maitland's insistence for some certain assurances in the matter of the succession was definitely very sympathetic towards Maitland and Lord James, providing Elizabeth, Cecil and Dudley with consistently favourable reports of Mary and her two principal advisers. Randolph confirmed the pre-eminence of Lord James and Maitland despite the internal opposition they were facing. Maitland, with his 'fell tongue' and 'crafty head' was regarded by many as being 'too politic' whilst Lord James was accused of 'growing cold', 'seeking too much his advancement'.⁷⁷ Certainly, these two were at the helm of Mary's administration. 'Lord James does most Lethington is next in credit' and both men operated in characteristic style: Lord James 'rudely, homely and bluntly'; Maitland, 'more delicate and finely'. It was Randolph's firm conviction that 'take these two out of Scotland and their country will soon find the want of them'.⁷⁸ Similarly, Cecil, for all his suspicions of Maitland and Lord James knew his task of managing the Scottish problem would be even harder without them and he was no doubt reassured by Randolph's assurances of their fidelity to the cause. It was also Randolph's firm opinion that Mary was sincere in her professed friendship for Elizabeth, a theme that runs through his correspondence at this time. In early January 1562 Randolph expressed the view of Mary's affection for Elizabeth that 'either it is so greate that never was any greater or it is the dieplieste dissembled and the best couverde that ever was'.⁷⁹ By mid-1565 Randolph was convinced that it was the latter rather than the former.

A far more pressing consideration was the simple fact that the English really had no other option but to respond positively to Mary's overtures, or at least appear to do so. The English policy of keeping Mary's affairs 'hanging in an uncertainty' could not be sustained by inertia. Mary was hardly to be kept in suspense by a cold, dismissive

English attitude which promised nothing. Elizabeth had to always give the impression of a growth in momentum of the movement towards a satisfactory compromise. Without that appearance it would have been only too obvious to Mary what the English tactic was and England at this stage were not strong enough to run the risk of having their true intent exposed. It was essential for their own national security that the policy of suspense was prolonged and that Mary received some encouraging signs. It was with this in mind that the last of Mary's returning relatives to France in early 1562 were in the same manner as her first, treated with the utmost courtesy by Elizabeth during their passage through England.⁸⁰

By 1562 it had become clear to England that they would have to take Mary Stewart very seriously indeed. In September 1561 it had not been clear what impact she was going to have. By early 1562 with the ratification of the Treaty of Edinburgh more remote than ever and with Mary daily strengthening her position in Scotland it had emerged that she was living up to their worst fears. The warnings that Throckmorton had given from France of her political prowess were being seen to be vindicated and it was a combination of all these pressures that resulted in the highly significant development of March 1562.⁸¹ With nothing decided on the Treaty of Edinburgh, Elizabeth wrote to Mary offering her sufficient encouragement to dispatch Maitland once more to the English court. With the full backing of the Scottish privy council, Maitland was to negotiate an interview between the two queens. It looked at last as if the pressure was finally beginning to pay off.⁸²

Mary's Continued Domestic Success

All the while, as Maitland was busy pressurising the English to accept the interview, Mary was strengthening her position in Scotland and Maitland was growing in her confidence. 'Maitland serves me right well' Mary was pleased to report to the Duke of Guise in January 1562.⁸³ He certainly was. In November 1561 her satisfaction with his performance of his first diplomatic task was revealed by his appointment as an extraordinary Lord of Session. Maitland's legal prowess was consistently recognised by Mary throughout her reign and along with his father he was to figure in several important legal commissions. This strengthens

the notion of the Maitland family as antecedents both of the great rise of legal families and the lairds in the seventeenth century.⁸⁴

Maitland was also involved in Mary's first confrontation with the Edinburgh town council. Knox went so far as to say that the whole blame for the fiasco 'lieth upon the necks' of Lord James and Maitland.⁸⁵ Knox was clearly dissatisfied with the outcome of the deliberate and provocative attempt in October 1561 by the newly elected council to challenge Mary's royal proclamation of 25 August 1561 in re-issuing the ordinances of June 1560 and March 1561, which had declared the unfitness of 'monks, friars, priests, nuns, adulterers, fornicators and all such filthy persons' to remain in a godly society. Mary rose to the bait and the ensuing conflict has, in the most detailed analysis of Edinburgh politics been termed - despite Knox's dissatisfaction - an honourable draw.⁸⁶ Mary successfully dismissed Kilspindie, the disobedient Provost, together with the four bailies responsible for the re-issue but only avoided repeating her mother's disastrous appointment of the hawkish Seton as Provost by a somewhat fortuitous error. Mary's alternative leet for the Provostship which had included Seton was not presented in time, with the result that Mary instead accepted Thomas MacCalzean as Provost. It was a far wiser choice. MacCalzean, was a more moderate Protestant with a good record of burgh service as had the four new bailies - John Adamson, James Thompson, John Majoribanks and Alexander Acheson - who can all be found along with MacCalzean amongst the ranks of the 'faithful brethren of Edinburgh in 1562'.⁸⁷

It is undeniable that luck was certainly on Mary's side on this occasion and saved her from a serious and damaging misjudgement. Mary, however, seems to have learned much from this early experience of Edinburgh politics, as her future dealings with the burgh, which can perhaps best be termed as conciliatory, show. This is certainly evident in her subsequent endorsement of Kilspindie as the candidate in the next election for the Provostship.⁸⁸ That Mary had learned a valuable lesson in 1561 was clear from her next decisive intervention in a burgh election in 1565. There was little fortuitous in her handling of that situation which has been described as 'well-timed, judicious and comprehensive' and went a long way towards achieving her aim of a moderate and non-partisan burgh administration.⁸⁹

The image of Lord James and Maitland as Mary's right-hand men is the traditional picture of this early phase of her reign and while it is accurate to a very large extent, it also tends to neglect the support of many others that Mary was soon able to attract and maintain. Maitland and Lord James were certainly prominent in their defence of Mary's right to her own Mass; if Maitland's credit was confirmed by his immediate embassy to London then Lord James' was clearly shown by his *carte blanche* commission from the privy council in November 1561 to administer justice to the Borders.⁹⁰ Lord James and Maitland had given Mary a sound basis of support which she was able to build upon successfully. By the time of the convention of December 1561, which was to deal with the religious issue, Mary was able to draw upon the overwhelming support of the nobility and privy council in rejecting the First Book of Discipline and implementing the controversial thirds of benefices scheme.⁹¹

Part of the reason for Mary's success in attracting widespread support was her ability to merge so many of her influential subjects' interests with her own. This was particularly evident in the thirds of benefices settlement. Perhaps too much time has been spent examining this controversial scheme from a religious perspective. For while there were undoubtedly critical implications inherent in the settlement for the development of the Kirk and the survival of Catholicism, the thirds scheme was perhaps not so much a statement of Mary's ecclesiastical policy but rather of her percipient economic policy.⁹² Randolph recognised this and claimed 'It is done neither from zeal for Christ's religion nor hatred to the viciousness of the lives that had it'.⁹³ The thirds of benefices settlement was in short, a financial masterstroke. It was noted earlier that the key to the stability of any Stewart reign lay in finance. The thirds settlement showed Mary's perfect grasp of that fact and went a long way to ensuring she was not going to be plagued in same way as her mother and father had before. Only once did Mary have to resort to taxation and even then it was clearly a special one off occasion to finance the dazzling baptismal triumph of her son and heir.⁹⁴ Whilst the Hamiltons could complain how badly off they were after the thirds scheme they were a good deal better off than they would have been had Knox been able to achieve his 'perfect

Reformation'.⁹⁵ It was on the whole a measure that contented the established landed interest and helped ensure that the disappointment of the Protestant radicals was unlikely to be transformed into potent political action. It was a delicate balancing act Mary was attempting to perform but one she was managing well.

Maitland's Prominence In Mary's Service

Maitland was vital in helping her perform this act. In the pages of Knox's History, at this time he figures prominently. It is not difficult to see why or how he fell so foul of the reformer or how his reputation as a *politique* came into being. Maitland was a strong supporter of the thirds settlement and had the effrontery to argue with Knox that even after the settlement Mary had barely enough money to buy a pair of shoes.⁹⁶ Maitland admitted he was accused of being 'too politic'⁹⁷ and while it is difficult to argue with the notion of Maitland as a moderate Protestant it must also be recognised that his Protestantism, however moderate, had its own firm limits under which he would not go. He was instrumental in Mary's rejection of the ambassador of the Duke of Savoy, Bertino Salaro, Signor di Morette's efforts in January 1562 to persuade Mary to attend the anticipated resumption of the Council of Trent. He was to do the same with De Gouda, the papal envoy, later on in the same year.⁹⁸ Maitland's religious convictions are a very complex issue. He was unquestionably a very sophisticated and well-informed Protestant, able to quote chapter and verse with Knox and conversant with the opinions of Luther, Calvin, Bucer, Melancthon and Musculus. Yet his Protestantism was not Knox's and in December 1561, he can be seen, much to Knox's chagrin anticipating the rights James VI was later to command over the General Assembly, questioning its legality to meet without the monarch's consent.⁹⁹

A rather ironic illustration of how far Knox and Maitland had moved from each other was provided by a meeting of what in the pre-Reformation period could well have been described as a meeting of the Edinburgh privy kirk. It ought to be remembered that it was at such a gathering in the house of Erskine of Dun in 1555 that Knox, had, if not converted Maitland to Protestantism, then at least convinced him of the sinfulness of his continued attendance at the Mass.¹⁰⁰ In November

1561, in James McGill, the Clerk-Register's house, the question of whether 'the subjects might not lawfully take her (Mary's) Mass from her' was discussed. There was a complete split of opinion between the privy councillors who supported Mary's right to hear Mass - including Morton, Marischal, Lord James, John Bellenden and Maitland - and Knox and his colleagues John Row and Robert Hamilton who did not. Times had clearly changed a great deal.¹⁰¹ Knox insisted on writing to Calvin for advice on the matter but Maitland was quick to halt this development insisting that he should be the one to write, arguing that 'there stood mekle' in the way the question was phrased. It was of course a delaying tactic and Maitland much to Knox's disquiet never did write to Calvin.¹⁰²

Mary's Skilful Handling Of Domestic Opposition

It is not the intention of this chapter to suggest that this first year of Mary's reign was all plain sailing. Quite clearly it was not: as well as inheriting an extremely delicate situation, fresh hostility and opposition soon manifested themselves. What this chapter has sought to show was that Mary was able to manage an obviously difficult situation extremely well, due in no small part to her skilful maintenance of an effective consensus of support. It is perhaps indicative of Mary's success as the Catholic Queen of a Protestant country that in these early years her chief problem was not the religious issue but with a section of her nobility. An even more impressive testament to the success of her first year of rule was the skilful manner in which she was able to address this problem.

The victory of the Congregation in 1560 is commonly and rightly regarded as a 'triumph of the Hamiltons' and indeed in the summer of 1560 the prospects for their dynastic ambitions had appeared to be particularly bright.¹⁰³ However, the basic incompatibility of those ambitions with Mary's own ensured that the likelihood of the establishment of harmonious relations between herself and the Hamiltons were not high. Indeed it is difficult to resist the argument that the Hamiltons were perhaps the greatest losers of Mary's return. Yet for all that, Mary was remarkably successful in dictating the terms of her relationship with the Hamiltons in this early phase of her reign. She

successfully checked the discontented Châtelherault's drift towards France and even more significantly succeeded in detaching him from his similarly disaffected fellow earl, Huntly. Mary also displayed an astute political opportunism by taking maximum advantage of Arran's psychotically induced outburst which told of a coup involving himself and Bothwell, the object of which was allegedly to imprison Mary in Dumbarton and to kill Maitland and Lord James.¹⁰⁴ Mary shrewdly accepted Châtelherault's denial and apology for his son's outburst but nevertheless took the precaution of repossessing the Hamilton's west coast fortress of Dumbarton.¹⁰⁵ As a consequence of this Châtelherault seems to have decided to cut his losses and put away for the time being at least any rebellious thoughts. He did not support Huntly's rebellion and was to remain prominent in Mary's service, a fact confirmed by his carrying of the sword at the opening of Mary's first parliament in June 1563.¹⁰⁶

It is interesting to note Randolph's opinion of Châtelherault at this time. Randolph is often described as the apologist of the Hamiltons but his description of Châtelherault as 'so unconstante and saving in covetousness and greediness that in iii moments he will take v purposes' hardly bears this out.¹⁰⁷ Randolph was not too worried about his loss of Dumbarton and his appraisal of Châtelherault's character was yet another mark of his favourable disposition towards Mary at this time. There was, however, a quite pressing reason for the timing of Randolph's change of horse at this time. There had been much talk since early 1561 amongst the English diplomatic agents of the French efforts to win back the Hamiltons and Huntly to the French cause.¹⁰⁸ Throckmorton had been aware of this attempt from an early stage yet despite his warnings, the Huguenot Paul De Foix, the French ambassador to Scotland in November 1561 seems to have stolen a march on Randolph. De Foix's Protestantism seems to have acted as the perfect cover for his anti-English activities and that Randolph did not suspect anything was shown by his warm recommendation of De Foix on his journey homeward as 'one who professethe Chryste for whose cawse your honour knoweth what he hath endured'.¹⁰⁹ It was perhaps Randolph's later realisation of the harmful seed De Foix had so industriously sown during his brief stay in Scotland that accounted for his blunt

appraisal of Châtelherault and his son.¹¹⁰

Randolph's criticism of the Hamiltons also further strengthens the view that in the first year of Mary's reign the divisive issue was not so much the sectarian Catholic-Protestant one but rather the conflict between those who favoured the auld alliance and the new. His criticism of Arran, whose 'mind is nothing but to be French' supports this view.¹¹¹ The internal divisions in France appear to have played a part in the development of this conflict in Scotland. There was clearly a divergence between the anti-English advice tendered to Mary from Catherine de Medici via Paul De Foix and that offered to her by her own Guise kindred.¹¹² It is not the least of the paradoxes of this complex period and a further warning against viewing the sixteenth century along narrow confessional lines that the policy adopted by the Catholic Guises, was, in this instance more attractive and favourable to Protestant England than De Foix's.¹¹³

The Hamiltons were not the only discontented subjects Mary had to contend with. The maverick Bothwell had been involved in the proposed coup against Mary, Maitland and Lord James but at this stage he did not present as serious a threat as that posed by the 'pope of the north-east' the fourth earl of Huntly. Huntly had declined the golden opportunity of his re-appointment as Chancellor to demonstrate his support for Mary's regime. His indiscreet repetition of the offer to set up the Mass in three shires in October 1561 if Mary would only give the word, was a direct challenge to the twin planks of Mary's administration; her recognition of the religious status quo and her pursuit of the English succession.¹¹⁴ It was also the complete antithesis of the cautious prudence with which Mary was trying to establish herself in her realm. Mary could not and did not have any truck with such outspoken reactionarism and in January 1562 gave a signal of both her opposition to Huntly and her determination to follow through her chosen policies by secretly conferring the earldom of Moray - lying deep in the heartland of Huntly's traditional sphere of influence - upon his arch-rival Lord James.¹¹⁵

Mary's Combination Of Renaissance Splendour And Political Power

The following February was to see the further delineation of Mary's

political alignment in Scotland and once again Lord James was the principal beneficiary. It was a splendid month for Lord James who, in 1562 was arguably at the peak of his credit with his half-sister. He could certainly have no complaints at the generosity of her wedding gifts to him on the occasion of his marriage to Agnes Keith. This marriage to the daughter of the Earl Marischal and a near-neighbour of Huntly, greatly increased Mary's capacity to control her troublesome northern province.¹¹⁶ On 7 February, Mary conferred the earldom of Mar upon Lord James and she ensured that the wedding itself was a spectacularly memorable affair. ~~Lord James'~~ wedding was perhaps the first of several major celebrations at Mary's court which combined the elements of renaissance magnificence - which have now been acknowledged as an integral part of Mary's reign - with an overtly political message. It was not the last time Mary would make such a dramatic demonstration of her favour and her power. This was predictably to the annoyance of Knox 'and many of the godly' who were offended at the vanity and greatness of the banquet but the author of the *Diurnal of Occurents* was a more appreciative witness.¹¹⁷

The anonymous author described in detail the 'solemnitie as the lyk hes not bene sene before; the haill nobilitie of this realme being thair present' and drew attention to the masquing that was to be such a feature of the Marian renaissance. The culmination of the celebration after 'greit and diverse baling and casting of fyre ballis fyre speris and rynning with horsis' was a demonstration of Mary's political power with the clear message that favour lay in faithful service to the Crown. Mary created ten knights, the majority of whom can be clearly identified as members of Lord James' party. Wishart of Pitarrow, Stewart of Minto, Stewart of Traquair, Learmonth of ~~Dairse~~, Murray of Balvaird were members of his household while Stewart of Traquair and Kirkcaldy of Grange can be safely numbered as his friends.¹¹⁸ The new knights can all be found amongst the ranks of those whom Professor Donaldson has identified as both friends of reform and England.¹¹⁹ Mary was beginning to make it quite clear both what her policies and who her supporters were.

Maitland's Mission Of May 1562

Maitland's mission to London in May 1562 provided another insight into the extent of the support Mary had established in Scotland. The embassy was in response to the encouragement she had received from Elizabeth but it was also significant that it took place with the full backing of the privy council, Huntly alone excepted. The council advised Mary not to consent to an interview with Elizabeth without the strong prospect of gaining recognition of her claim to the English succession.¹²⁰ Such a prospect was always the *quid pro quo* for Mary's compliance with any major request of Elizabeth's and in this sense it is possible to see Mary as the patriot queen, following the policy favoured by her subjects and not, as has been suggested, flying in the face of their wishes by an obsession with the English succession.

Maitland's embassy to the English court was to prove to be yet another classic Elizabethan encounter. He left Edinburgh on 25 May and made good time on his journey, arriving in London on the last day of the month before returning to Edinburgh on 12 July.¹²¹ His account of the episode is rich in details of Elizabeth's exaggerated fervour, both for Mary and the interview. At one point Elizabeth made a typically melodramatic gesture. She rejected Maitland's general letter of credit and clasped Mary's handwritten letter to her bosom, exclaiming 'Take you that other letter Cecil but by God you shall not be privy to this. I will here be my own secretary'.¹²² Maitland was now of course a very familiar face at the English court and Mary's cause could not have been in more capable hands. This was his sixth embassy to the court of Elizabeth in just over three years and, as ever, he seems to have taken the opportunity to strengthen his established contacts at the English court. He appears to have become particularly attached to Leicester at this time. The Spanish ambassador who was particularly nervous in June 1562 at the improvement in Anglo-Scottish relations even suspected that Maitland and Leicester had already agreed on a Darnley match for Mary at this time in return for Maitland's support of Leicester's ambition to wed Elizabeth.¹²³

La Quadra's wild speculation reflected his fears of the outcome of Maitland's mission which appeared to have been a complete success. Maitland returned to Scotland with Du Croc, the French ambassador, a

portrait of Elizabeth and - most significant of all - with a set of conditions which he had agreed with Lord Howard, Elizabeth's Chamberlain, for an interview at Nottingham.¹²⁴ The interview looked so certain that Cecil had even gone to the length of procuring the services of an elephant to take part in the celebrations that would accompany the meeting of the royal princesses.¹²⁵ However, Maitland's and Mary's joy was to be shortlived. Within days of his return to Scotland, Elizabeth had dispatched Sir Henry Sidney to Mary to announce the postponement. The stop-go amity in a pattern that was to become so familiar had come to a halt again.¹²⁶

It was a somewhat ironic mark of the fluid and highly unstable international situation that the French factor, which had been arguably the main influence which had first forced Elizabeth to contemplate the interview should be the decisive factor causing its postponement. For while the French efforts to create an anti-English party favourable to themselves in Scotland had acted as an impetus for the amity, the outbreak of religious strife in France following the massacre of Vassy, provided the ostensible excuse for the deferral of the interview until a more convenient date.¹²⁷ Mary was deeply disappointed by the decision but was heartened by the prospect of a meeting the following year. Meanwhile she took full advantage of the postponement to turn her attention once more to domestic affairs and in particular to her troublesome earl of Huntly.

The Fall Of Huntly

It seems undeniable, that there was a definite link between the timing of Mary's northern expedition and the postponement of the interview.¹²⁸ A visit to the north had long been in Mary's mind but had itself been postponed because of the proposed meeting with Elizabeth. The revival of the northern progress seems to have taken both the burgh of Aberdeen and Huntly by surprise. It has already been noted how Mary had sought to stifle her domestic opposition. It was noticeable that Châtelherault had wisely distanced himself from Huntly and had - however begrudgingly but nevertheless sensibly - been seen to support in the privy council Mary's desire for an interview with Elizabeth. This left Huntly isolated and with time on Mary's hands he was cast

perfectly in the unfortunate role so familiar in the brutal history of the Stewart monarchy of the great magnate destined to suffer humiliation at the hands of the Crown. In Huntly's case it was to be annihilation.

Mary's slaughter of Huntly was one of the most barbaric display of the power of the Crown by any Stewart monarch. It was designed primarily *pour encourager les autres* who may have had rebellion on their minds and, on a certain level it would be right to argue that Huntly's downfall had very little to do with religion. He was a disobedient subject whose alienation from Mary had become increasingly apparent during the course of 1562. In a memorable recurrence of the ailment that had enabled him to conveniently absent himself from the Reformation Parliament, Huntly had declined Mary's invitation to come to the court because of a sore leg.¹²⁹ The irresponsible behaviour of his eldest son Sir John Gordon who had escaped from his imprisonment and fled homewards provided Mary with a further excuse to demonstrate the power of royal justice against the Gordons. On another level, however, it is hard to disagree with the argument that it was not in spite of Huntly's Catholicism that Mary ruined him but precisely because of it.¹³⁰ Mary could not have given a more forceful example of her lack of religious partiality when it came to the administration of royal justice than she did on the battlefield of Corrichie. It was yet another example of her political guile that she made sure her campaign gained the maximum possible publicity.

There is something to be said for viewing the rout of Huntly as a carefully orchestrated propaganda campaign designed for English consumption. Randolph was not brought along just for the ride. There was sound political judgement behind his presence in the royal entourage. He was to provide Elizabeth with the graphic details of Mary's conquest of her Catholic earl.¹³¹ The parallels between Mary's successful treatment of her northern kingdom and Elizabeth's own troublesome and conservative north would not have been lost on either Elizabeth or Randolph. For Maitland, who was Randolph's bed-fellow on the trip, it provided another occasion to further strengthen his relationship with the English ambassador. Their shared adventures on this campaign, which included the narrow avoidance of a series of

assassination attempts, can only have had a positive effect in this respect. Randolph unsurprisingly does not seem to have relished his role as war correspondent and described with relief the failure of Huntly's attempt to burn the house in which Mary and her entourage were staying in Old Aberdeen. He was not exaggerating when he reported that 'it had been hot for me being there'.¹³²

Maitland and Lord James were in the vanguard of this expedition. The importance of Lord James in Mary's strategy against Huntly was shown by her public proclamation of him as earl of Moray at Darnaway Castle *en route* to her confrontation at Corrichie. Maitland was also prominent in the campaign. Unusually for him, he seems to have operated in a military capacity, leading a surprise raid on Strathbogie Castle and later, on the actual battlefield of Corrichie, rallying the troops with a prayer for divine assistance against the rebellious earl. Corrichie was as much a victory for the Maitland-Moray axis as it was for Mary.¹³³

Summary Of Mary's First Year

The success at Corrichie crowned a spectacularly successful first year of rule for Mary. She had made it clear to her nobility in the best traditions of her ancestors that faithful service would be rewarded but disobedience would not be tolerated. It was a truly auspicious start which contrasts in almost every respect to her disastrous final year of personal rule in 1567. She had dealt with a number of delicate problems with a skilful prudence that belied her nineteen-years of age to emerge in a position of considerable strength. In religion Mary had successfully exploited the gap between the Protestant radicals and the conservative majority to gain widespread support for her recognition of the religious status quo as it stood on her arrival in 1561. For all Knox's fear of the holy water of the court, Mary had not achieved her support through following an overtly Catholic policy but by trumping Knox with his own godly card. The major Catholic noble had been slaughtered, there had been no Catholic crusade and invitations to Trent had been rejected. By such measures, more *politique* than protestant, Mary had been able to steal the radical Protestants own thunder from them.

As far as finances were concerned, Maitland's wild exaggeration that

Mary did not have enough to buy a pair of shoes nevertheless draws attention to the vital question of the Crown's finances. The situation was not quite so desperate as Maitland claimed and measures such as the thirds of benefices and the repossession of lands from the Gordons and Hamiltons all helped put the Crown's finances on a more secure footing, providing an accurate portent for Mary's consistent success in this critical area.¹³⁴

In foreign policy, it will be seen in the next chapter how Mary expressed her deep dissatisfaction and frustration at the stop-go nature of the amity. Elizabeth had proved herself more than capable by her postponement of the interview of manipulating the situation in France to Mary's disadvantage. Maitland and Mary, however, were to prove equally adept at manipulating the threat of the old alliance and a new Spanish alliance to counter that ploy and pressurise Elizabeth into conceding the recognition of Mary's claim. It was her successful domestic rule that enabled her to employ such tactics. In this sense perhaps too much can be made of Corrichie as an exercise to please Elizabeth. Undoubtedly it could be and was usefully manipulated for that end but Mary did not destroy Huntly for Elizabeth's benefit but her own. By ridding herself of her most powerful domestic opponent Mary was increasing her capacity to follow the policies she wanted with a greater degree of impunity at both home and abroad.

It was a measure of Mary's satisfaction with Maitland and his fulfilment above and beyond the letter of her earlier ultimatum to him that the Maitland family star was firmly in the ascendant in this phase of Mary's reign. It was a conventional pattern of royal patronage for the success of the father to reflect favourably on the son but it was a mark both of the novelty of Maitland's position and of Mary's favour for her Secretary that his father Sir Richard, already over sixty-five years old and blind was appointed Keeper of the Privy Seal in 1562.¹³⁵ It was not to be the last mark of her favour for the Maitlands.

NOTES

- 1 Knox, History, ii, 7.
- 2 J. Wormald, Court, Kirk, Community, 13.
- 3 J. Wormald, Mary Queen of Scots, A Study in Failure, 116, see Lynch, Mary, 10, for the quotation regarding the importance of finance.
- 4 RPC, i, 266-7.
- 5 Keith, History, ii, 72-74.
- 6 See Hay Fleming's itinerary in Mary Queen of Scots (London, 1898) the deficiencies of which are exposed in the Diurnal, 69, and more recently by E.M. Furgol's 'The progresses of Mary, Queen of Scots 1542-8 and 1561-8' in Proceedings of the Society of Antiquaries of Scotland, 117, (1987), 219-31.
- 7 Lynch, Mary, 11-12.
- 8 Wormald, Failure, 114.
- 9 This was covered in detail in chapter 3 but see CSP Scot, i, 518-519 for Randolph's comments on the 300 letters Mary had sent into Scotland by February 1561 and the 1561 batch of the recently catalogued Lauderdale Papers, compiled by Simon Adams in SHR, 67, (1988).
- 10 This is quoted almost in full in Russell, Maitland, 119-120, for the exact text see SP 52.6.45.
- 11 See BL: Addit. MS, 23,108/13-16, Morton to Mary and Addit 19,401/56, Argyll to Mary
- 12 Addit. 19,401/65, Cassillis to Mary.
- 13 See note 9.
- 14 This is clear from all the above correspondence in particular Mary's letter to Maitland, SP 52.6.45.
- 15 Warrender Papers, i, 43-44.
- 16 This is the general thesis of Wormald, Failure, passim, but see especially Chapter 5, 'The Reluctant Ruler'.
- 17 CSP Scot, i, 544-5.
- 18 Addit. 32,091/189.
- 19 Leslie, History (Bannatyne), 294.
- 20 RPC, i, 157.
- 21 J.de la Brosse, Histoire d'un capitaine bourbonnais au XVI siècle, Jacques de la Brosse 1485(?) - 1562: ses missions en Écosse (Paris 1929), 279.
- 22 See I.B. Cowan's discussion of Mary's religious policy, 'The Roman Connection' in Lynch, Mary, 105-22, especially 107, for the Guise willingness to allow Mary to embrace Anglicanism.
- 23 This is another of the allegations in Wormald, Failure and her 'Reluctant Ruler' chapter. It is one that can be countered by reference to RPC i, 192 and Knox, History, ii, app., ix, 326-337.
- 24 RPC, i, 206 and Keith, History, ii, 141-144.
- 25 See M. Lynch, 'Mary Queen of Scots: A New Case for the Prosecution', in Journal of Ecclesiastical History, January 1990, 109.
- 26 According to CSP Spanish, 1558-67, 214, Maitland arrived in London on 8 September, and according to CSP Scot, i, 547, carried several letters of commendation from the Scots. Randolph refers in his letter to Cecil of 24 September 1561, CSP Scot, i, 555-56 to a conversation he had just had with Maitland.

- 27 There are detailed accounts of Maitland's interviews with Elizabeth in Queen Mary's Letter to Guise 1562, (SHS, 1904), 38-45 and in RPC, xiv, 172-178.
- 28 See my chapter 2 on the Reformation Crisis for Maitland's unionism at that time and chapter 3 for the detailed analysis of the Arran marriage proposal.
- 29 Robertson, History, iii, app ii, 273-80.
- 30 See my discussion of the Arran marriage proposal in chapter 3.
- 31 Addit, 23,109 f4.
- 32 Mary's letter to Guise, 38-48.
- 33 CSP Scot, ii, 44.
- 34 This is evident throughout Maitland's correspondence with Cecil in this period, see CSP Scot and CSPF, passim, eg, SP 52.7.14., Maitland to Cecil, 29 January 1562.
- 35 BL Egerton, MS 1818, f13, Lord James Dudley, 7 Oct 1561.
- 36 Keith, History, ii, 72-4.
- 37 *ibid.*, ii, 72-4.
- 38 Mary's letter to Guise, xv.
- 39 CSP Scot, ii, 101-2.
- 40 Mary's letter to Guise, 38-45.
- 41 *ibid.*, 38-45.
- 42 Hardwick State Papers, i, 173.
- 43 Mary's letter to Guise, 38-45.
- 44 S.L. Adams, 'The release of Lord Darnley and the failure of the amity' in Lynch, Mary, 123-53, 135, for the Hertford Castle meeting.
- 45 This is clear throughout the period and will be particularly evident in the later chapters of this thesis but see J. Dawson, 'Mary, Queen of Scots, Lord Darnley and Anglo-Scottish relations in 1565' IHR 8, (1986), 1-24.
- 46 Adams, 'Darnley', 135.
- 47 Egerton MS 1818, f13, Maitland to Dudley and Egerton 1818, f15 Moray to Dudley.
- 48 See Maitland's correspondence from his return to Scotland in September 1561, this theme permeates it all, eg SP 52.6.81 and SP 52.6.88.
- 49 Mewtas' mission is covered in Mary's letter to Guise, Mary's response to Mewtas can be gathered from her brief letter to Elizabeth dated 7 October, CSPF, iv, 351 and Elizabeth's reply to Mary, CSPF, iv, 410-11. See also RPC, xiv, 178.
- 50 CSPF, iv, 351.
- 51 CSPF, iv, 389.
- 52 Mary's letter to Guise, app.,viii, 67-68.
- 53 *ibid.*, app.,ix, 69-71.
- 54 Again, Cecil's unwillingness permeates Maitland's correspondence at this time, see for example, CSP Scot, i, 471, 464-65, 572-573, 581, 587-590.
- 55 See Randolph to Cecil, 31 March 1562, CSP Scot, i, 611-614 for proof of a reply by this time.
- 56 Hay-Fleming, Mary, 69.
- 57 CSP Scot, i, 5 Jan 1562, pp 587-88.
- 58 Mary spent the New Year of 1562 at Seton; Furgol, 'Progresses'. It would seem natural that this 'New year gift' would be given at this time.
- 59 It was noted in my introduction that the success of the poet, Sir Richard and his multi-talented son during Mary's personal reign was

due in part to their ability to play a dual role in the twin spheres of Mary's court and government.

- 60 CSP Scot, i, 587-88.
- 61 ibid., i, 589.
- 62 ibid., i, 595.
- 63 ibid., i, 589.
- 64 ibid., i, 595.
- 65 ibid., i, 595.
- 66 ibid., i, 591-3.
- 67 ibid., i, 588.
- 68 See Throckmorton's famous letter of 1568 in which he analyses the respective characters of Maitland and Lord James, Teulet, Relations, ii, 355-56.
- 69 CSP Scot, i, 588.
- 70 ibid., i, 609-610.
- 71 Knox, Works vi, 131.
- 72 Russell, Maitland, 152 and CSP Scot, i, 591.
- 73 Haynes, State Papers 369. Maitland was still arguing this line in December 1564; CSP Scot, ii, 105-109, Mary was gaining only 'in potentia propinqua' to a kingdom.
- 74 CSP Scot, i, 575.
- 75 W.T. MacCaffrey, The Shaping of the Elizabethan Regime, (Princeton, 1968), 88-89 and authorities cited therein.
- 76 See for example, SP 52.7.14, 29 January 1562 for Maitland's blunt complaint of the lack of progress 'if the accord intended shall always hang in suspense.'
- 77 CSP Scot, i, 563, 569.
- 78 CSPF, iv, 392.
- 79 CSP Scot, i, 596.
- 80 Adams, 'Darnley', 135.
- 81 CSPF, iii, 423. Throckmorton held a high opinion of Mary's statecraft, bitterly comparing Mary's determination to marry highly with Elizabeth's infatuation with Dudley.
- 82 Randolph to Cecil, CSP Scot i, 611-4.
- 83 Mary's letter to Guise, 28.
- 84 Brunton and Haig, Senators of the College of Justice, 107.
- 85 Knox, Works, vi, 132.
- 86 Lynch Edinburgh and the Reformation, 91-99.
- 87 ibid., app. ii, 265.
- 88 ibid., 102.
- 89 ibid., 93.
- 90 Lee, Moray, particularly chapter iv, 'The first year of Mary's rule', 88-110.
- 91 Knox, History, ii, 27 and 325-332.
- 92 I.B. Cowan argues convincingly along these lines in his 'Roman Connection' in Lynch Mary, 108
- 93 CSP Scot, i, 591-2.
- 94 Lynch, Mary, 11.
- 95 CSP Scot, i, 592.
- 96 Knox, History, ii, 30.
- 97 CSP Scot, i, 556.
- 98 Papal Negs. section iv, 113-58, for Maitland's attitude towards Trent and De Gouda's mission esp. 143. See also CSP Scot i, 593 for Maitland's role in the rejection of Morette's advice.
- 99 Knox, History, ii, 26.

- 100 Knox, History, i, 120.
- 101 Knox, History, ii, 23.
- 102 ibid., ii, 23.
- 103 Donaldson, AQM, 35.
- 104 The conspiracy can be traced throughout Randolph's correspondence with Cecil, in CSP Scot, i, 590-616.
- 105 ibid., 619.
- 106 ibid., ii, 10.
- 107 ibid., i, 607-9.
- 108 CSPF, iv, 438.
- 109 Mary's letter to Guise, xxxiv.
- 110 CSP Scot, i, 609.
- 111 ibid., 609.
- 112 Mary's letter to Guise, see, xxix-xxxiv, dealing with De Foix's mission to Mary in 1561 and that noted earlier of the Guise family.
- 113 ibid., xxix-xxxiv.
- 114 CSPF iv, 235-4.
- 115 A.J. White, 'Queen Mary's Northern Province' in Lynch, Mary, 59.
- 116 Diurnal, 70-71.
- 117 ibid., 70-1, Knox, History, ii, 313-15 and Randolph to Cecil, CSP Scot, i, 602-3.
- 118 I am grateful to Jean Morgan and her research on the clientage of Lord James for this advice. See, the Moray Muniments, Box 2, Document 48, in West Register House; the National Register of Archives survey, 217.
- 119 Donaldson, AQM, 'Lairds in the party of Revolution' 161-4.
- 120 Keith, History ii, 141-44.
- 121 Diurnal, 72-73.
- 122 Maitland to Mary, NLS 3657/1, 2 June 1562.
- 123 CSP Spanish, 1558-67, 246, 249-50.
- 124 ibid., 249-50 and CSPF, iv, 321.
- 125 M.Lynch, 'Queen Mary's Triumph: the baptismal celebrations at Stirling in December 1566' in SHR 69 (1990), 21.
- 126 CSP Scot, i, 641.
- 127 The outbreak of hostilities is generally reckoned to have been a convenient and premeditated excuse for the postponement; Donaldson, James V to James VII, 114. and MacCaffrey, Shaping of the Elizabethan regime, 107.
- 128 White, 'Queen Mary's Northern Province', 60.
- 129 ibid., 90.
- 130 ibid., 61.
- 131 CSPF iv, 272-3.
- 132 Keith, History ii, 175-181.
- 133 White, 'Queen Mary's Northern Province' 61, and Knox, History, ii, 60-61.
- 134 Lynch, Mary, 10-11.
- 135 RSS, vol., v, pt. i, no. 1175.

CHAPTER FIVE

MAITLAND'S MISSION OF 1563

Alwais lat this be your comfort, that God is your protector and their can not so gryte ane storme comen bot he vill send a port quhairin your shyp may be saved. I se experience of this monye wais and even at this same tyme. Maitland to Mary 9 March 1563.¹

This extract from a letter written in London during the course of Maitland's four-month long diplomatic mission provides an intriguing perspective from which this embassy, long shrouded in mystery can be discussed. The tantalising entry in the Diurnal of Occurents for 13 February 1563, stating that Maitland of Lethington 'departit furth of Edinburgh to France in ambassatorie, to quhat effect non knowis', is symptomatic of the uncertainty surrounding this mission which historians over the years have steadily sought to reduce.² Thankfully a good deal more information is available to the modern scholar than was to the anonymous authors of the Diurnal. Accurate and reliable comment on the mission is now greatly impeded not so much by a paucity of sources but by the contradictory nature of the available evidence. The Spanish, French, English and Scottish sources offer conflicting images of Maitland's mission with the result that any interpretation is open to challenge and debate.³ While it is still difficult to be certain as to the true purpose of the embassy and to what it actually achieved, it is possible to piece together Maitland's movements, activities and correspondence from February until his return in June and come to a more informative conclusion about this mission. The picture that emerges is of a highly significant chapter in the history of the 'amity' and one that emphasises its precarious condition in 1563. Maitland was actively pursuing on Mary's behalf, if not a direct alternative to the amity, then certainly alternative means of exerting pressure on Elizabeth to ensure the recognition of her claim to the English succession. It is towards a better understanding of this controversial mission and the effect of Maitland's search for 'a port quhairin your shyp may be saved' on the development of the amity that this chapter is

devoted.

Elusive though specific details of this mission are, it is an episode which in certain respects is the very epitome of his career as Secretary. It is very much in the best traditions of the international diplomacy of his distinguished predecessors in the Scottish Secretariat such as Patrick Paniter, Thomas Erskine and David Paniter that Maitland was to be seen at work in 1563, fencing with the premier statesmen of France, England and Spain and personally negotiating with Elizabeth and Catherine de Medici at Mary's behest. The mission affords an exciting glimpse into Maitland, the Principal Secretary of State, at work and reveals a fascinating picture of him, arguably at the peak of his personal credit with Mary, at his most brilliant, diplomatic and duplicitous (Sir Thomas Smith the English ambassador in France was to argue triplicitous!) best.⁴

The Controversy Surrounding Maitland's Mission

It is perhaps surprising given the fact that Maitland's official instructions from Mary on his departure into England are readily available that this embassy should have aroused so much controversy.⁵ These set out Mary's claim to the English succession and her desire to mediate a negotiated settlement to the escalating Anglo-French conflict. Whether his declared commission was a deliberate ruse on the part of Mary and Maitland or whether as he himself later argued, he had merely reacted spontaneously to offers put to him is debatable and lies at the heart of the controversy. For while Maitland was not remiss in the prosecution of his instructions it is not for either of those issues that his mission has traditionally been controversially regarded. Rather it is because of his diplomatic intrigues on Mary's behalf with the Spanish and French over the question of her marriage. It was this troublesome issue that was arguably the chief business of the mission.

John Knox suspected as much from the start and was to accuse Maitland of deliberately promoting a Spanish match.⁶ Thomas Randolph was also equally suspicious of Maitland's conduct, swiftly changing his opinion of February that Maitland 'never took charge with worse will specially if he pass into France', lamenting the fact that he had made no effort to commune with Moray in his absence, a fact which he

believed was a pre-determined policy on the part of both Mary and Maitland. Randolph bitterly observed as regards Maitland's letters to Mary at this time that 'what was of little import was told some, the rest in cipher was kept to themselves'.⁷ That Maitland had chosen to commune with Mary in this covert fashion exacerbated the suspicion that his mission had aroused. By the time of his return in June, Randolph was still prepared to give Maitland the benefit of the doubt but he admitted that 'many had begun to conceive strangely of Lethington'.⁸ The task of the historian in deducing the facts of Maitland's mission is not made any easier by the loss of much of Maitland's correspondence at this time and the fact that much of it was in cipher reduces the reliability of the information to be gained from contemporary reactions to his news. It was hardly surprising that suspicious interpretations were placed on his conduct and that Randolph feared Maitland 'should in any thing overshoot himself'.⁹

The question of Mary's marriage was after all an issue of major European importance and one that England was particularly sensitive to. Immediately following Francis II's death, Throckmorton had articulated the deeply-felt English bitterness at losing out in the struggle for Mary's first marriage and the hope that the mistakes of English policy in the 1540s be avoided in her second.¹⁰ As earlier chapters have shown, a good deal had changed since the 1540s. England's hand had been strengthened considerably yet not all the developments had been to England's advantage. While the Scottish Reformation of 1560 had certainly been a triumph for England in supplanting the French as the dominant external force in Scottish politics, it had far from entirely eradicated French influence from Scottish affairs. It is often underestimated how much remained intact. Despite Maitland's sincere commitment to the union of the realms, his career nevertheless shows the retention of a strong attachment to France throughout Scotland as a whole and also a strong personal affection for the same. His later acknowledgment of many personal honours and favours received from France, 'more than some of my country of greater degree - some will say more than any yet' and his seemingly strong friendship with Archbishop Beaton bear testament to this.¹¹

Maitland's warm reception into France in 1563 further endorses this

view and contrasts sharply with the treatment meted out to Sir Thomas Smith, the English ambassador to France. Indeed, Smith in a delightful diatribe which shows English xenophobia at its dyspeptic best, seems to cut exactly the figure of the archetypal Englishman abroad:

France ys enough to vex any man ...and to troyble his pacience though he were as pacient as Job, yt ys so unstable, uncertaigne, untrue, impudent, unfaithfull and ever enclining to the worst and lik the disease that hath the name of them grieving itself andeasely rubbing apeace of the same upon hir next neighbour to mak him share parte of hir mischiefs and to be within a while in the same torment.¹²

Smith would no doubt have echoed the view of the Spanish ambassador in London that 'when the Ethiopian is white, then will the Frenchman love the English'.¹³ This inbred, mutual distrust of the English and French was a strong reminder to the English of the need to retain Scotland's friendship. Right up until the conclusion of the civil war in 1573, one of the most striking features of Anglo-Scottish relations was that the perpetual friendship supposedly achieved in 1560 was shown to be, if not ephemeral then certainly negotiable.

It ought also be noted that the success England enjoyed in weakening the Franco-Scottish alliance was further tempered by a simultaneous dwindling of her own Spanish alliance. Indeed one of the major differences in the competition for Mary's second marriage, in comparison to the chiefly two-dimensional contest of the 1540s, was the active and independent participation of a highly significant third force - Spain. It was Maitland's mission of 1563 that was to see the introduction of their hand and the development of a most significant diplomatic channel between Scotland and Spain.¹⁴

The Background To The Mission

Before proceeding to a detailed examination of Maitland's mission it is important to place it in its context in relation not only to the domestic situation in Scotland and the state of Anglo-Scottish relations at this time but also to the broader political climate of Europe as well. As far as the domestic situation was concerned, Mary, by February 1563 could reflect on sixteen successful months of personal rule in Scotland. She had displayed a determination and ability to rule in vintage Stewart style. Her routing of Huntly at Corrichie provided a

clear illustration of her grasp of the mechanics of the relationship between the Stewart monarchy and the nobility. She had further developed her ancestors' successful methods of conciliar government, but more personally characteristic and unique was her tactful management of the delicate problem of religion. Mary had won over a vast majority of the nobility to her style of religious toleration much to the concern of Knox and his fellow radicals. It was this successful domestic government that provided the solid basis for her foreign policy, the main issue of which was her relationship with Elizabeth and the prosecution of her claim to the English succession.¹⁵

By the spring of 1563 relations with England had reached a critical stage. Maitland the architect of the amity embarked upon since Mary's return was beginning to show distinct signs of unease that the policy of subservient friendship had not achieved a single concession as far as the recognition of Mary as Elizabeth's heir was concerned. There was more than one symptom of the failure to make anything other than cosmetic progress. Elizabeth's postponement of the proposed interview between the two queens for which Maitland had laboured long and hard was perhaps the most obvious, but equally alarming were the strong sentiments voiced against Mary in the English Parliament of 1563, when, much to the annoyance of Elizabeth the Commons had broached the question of the succession.¹⁶

It had been the English support of the Huguenots in the French Wars of Religion that had provided Elizabeth with the perfect pretext for postponing the interview. The outbreak of hostilities in France certainly placed Mary in an invidious position. Maitland was acutely aware of Mary's dilemma, which he shared. English intervention in France was yet another unwelcome complication and obstacle to his attempts to secure recognition of Mary's claim to the English succession. In a remarkable and wide-ranging letter to Cecil, written from Dundee on the way home from Corichie and dated 14 November 1562, Maitland spelt out the central difficulty of Mary's position and the perplexity that the war 'begun betwixt the two countries in the earth which next her own be most dear to her' had placed Mary and himself in. It is a letter which anticipates the mediatory role he was to play in 1563.¹⁷

Maitland's Frank Appraisal Of The Amity

In a vivid restatement of Mary's impressive royal provenance which had entitled her just three years earlier to be proclaimed along with Francis II as '*Rex et Regina Francorum, Scotorum, Anglorum et Hiberniae*',¹⁸ Maitland reminded Cecil that Mary, paternally descended of the blood of both England and France through James V, the son of Margaret Tudor and of France by her mother, Mary of Guise, and having 'friends in both that be most tender to her' would find it particularly difficult in a time of Anglo-French conflict 'to hold the ballance just betwixt them'. Despite implying that Mary would require the wisdom of Solomon to determine her allegiance in such a conflict, the entire drift of Maitland's argument, however, was designed to show in stark terms how much stronger Mary's reasons for siding with France rather than England were.¹⁹

Maitland was at pains to point out that quite apart from France being the home of 'the most part of all her kindred chiefly her uncles with whom she hath ben from her youth nourish'd and up-brought and who do honour and love her above all creatures' was the simple fact, often ignored by historians, that Mary was still Dowager Queen of France. Consequently, Maitland perceived that Mary would be:

as well by her uncles in particular as by the king and queen mother earnestly requir'd by virtue of the ancient league betwixt the two realms not to forsake the defence of the king her brother and that realm where she had all her education and in which her dowry is situate now being invaded by the forces of England.

If Mary failed to respond positively to those requests for support, favouring instead amity with England, 'which amity I know the State of France will never well digest as a thing most prejudicial to their wealth', Maitland argued that she stood to lose not only her dowry but also the loss of French friendship forever. Such a decision would certainly ensure that in any future quarrel of her own she could not expect support from France having first denied 'their friendship in their necessity'.²⁰

Although Maitland assured Cecil that he would do all in his power to refute these arguments he also made it abundantly clear what a difficult task this was. In contrast to the tangible kinship and permanently official connections with France, there were no such considerations tying Mary to England. In a brutally frank analysis which

cut through the adiaborous expressions of mutual good will, that at once proliferate and obscure Anglo-Scottish relations at this time, Maitland submitted an incisive critique of what the amity actually was. The amity, Maitland lamented, 'not being an amity contracted with the Realm publicly or approved by open fact or certain demonstration but only a familiarity contracted privately betwixt themselves (ie Mary and Elizabeth)' was severely and inherently vulnerable. Elizabeth's private expressions of love, much appreciated though they were by Mary, remained unendorsed by any public contract and 'but inclosed in her own heart et non transgreditur personam'; they were worthless as a bargaining counter 'to lay in ballance forment' the French. According to Maitland, Elizabeth's recent bout of small-pox had further highlighted the fragility and dangers of an amity based solely on a personal and private friendship. For if Mary chose to support England rather than France and then, as Maitland so delicately put it, 'God should call your mistress then shall mine be left destitute of all friends when she shall have most need'.²¹

In a challenging article Dr Adams has argued for the importance of seeing the amity for what it was but he fails to provide a convincing answer to the problem he identifies.²² There is surely no clearer analysis from a Scottish perspective than that given by Maitland in 1562-3. It was Cervantes who observed the ability of fear to induce sharp-sightedness and it was perhaps because Maitland was acutely aware that Mary would hold him personally responsible for the disastrous prospect 'of being destitute of all friends' through following his policy of friendship with England that explains the disarming candour of his appraisal. Maitland as the man 'who most chiefly and specially hath travelled at all times to knit up friendship' between Mary and Elizabeth, had a powerful personal motive for not allowing such a hazardous state of affairs to continue. It is in the development of his proposals to deal with this dilemma that a good insight is given into the tactics and rationale he employed several months later when he embarked upon his mission.²³

Maitland, ever the astute politician, was acutely aware of all the opportunities available to him. He seems to have grasped perfectly that the Anglo-French conflict, whilst exposing the precarious state of the

amity, also provided an excellent opportunity for it to be strengthened. This was certainly Maitland's, if not Mary's line of argument, and it is in advancing such a view that the worth of Maitland's appraisal of the amity is enhanced. If, as Maitland desired, the 'amity were so straitly knit up betwixt their majesties so solemnly confirmed and by publick demonstration uttered to the world' then Elizabeth could rest assured that Mary would gladly follow and be directed by her good advice alone rather 'than of all the uncles she hath'. Maitland was of course hinting at Elizabeth's public recognition of Mary as her heir to the throne, in the event - as had so recently seemed likely - that Elizabeth died unmarried and childless. It was a tortuous game Maitland was playing but the ultimatum implicit in his argument was obvious. For the continuing credibility of himself and the amity, recognition of Mary's claim was essential. If recognition was not forthcoming, it was clear that the amity would remain as Maitland had already depicted it, insecure, exposed and vulnerable.

Maitland's Mission As A Watershed For The Amity

In this sense, it is possible to view the crisis of 1563 and Maitland's mission as a watershed in the history of the amity. Although it was a further two years before a complete breach was effected by the failure of the Leicester match and Mary's subsequent marriage to Darnley, Maitland's mission affords a clear indication of the rift between Elizabeth and Mary that was to develop into chasmic proportions. It is clear that Maitland himself was frustrated that the policy he had advocated even before Mary's return had not borne fruit.²⁴ It was not out of a fondness for sycophantic grovelling that he had spent almost two years attempting to create a climate conducive to the granting of the recognition by Elizabeth of Mary as her successor. It was Maitland's consistent conviction that recognition of Mary's claim was 'the readiest yea and only moyen' to ensure the realms were joined in godly, perpetual amity.²⁵ It was becoming increasingly obvious to Maitland that the prospects in 1563 for his policy and the amity were not propitious. What his mission illustrates is the change of tack on the part of Mary and himself in their search for an alternative. In what was to be a remarkable four months of diplomatic activity which

contrasted sharply with the picture painted by Maitland in November 1562, it was not to be France which presented the most desirable alternative but Spain.

Such then was the lie of the land in November 1562 at the outbreak of Anglo-French hostilities. Mary very wisely waited to see how the situation developed before seeking to intervene. Her eventual decision made after careful consideration of the complexities of the problem was probably the best possible. She decided to offer mediation between 'oure dearest freindis', England and France. This, along with her determination to secure the recognition of her rights to the English succession formed the basis of Maitland's official instructions for his mission in February 1563.²⁶ He was to seek French and English approval of Scottish mediation in the crisis and, in an attempt to redress the parliamentary opposition so recently voiced against her and in favour of Catherine Grey, he was also to seek admission to the English parliament to present Mary's claim.²⁷

The Religious Climate At The Time Of The Mission

One further aspect of the broader political climate at the time of Maitland's mission ought to be taken into consideration and this is that it coincided with the final sitting of the Council of Trent in 1563. This as well as further emphasising the delicacy of the international situation at the time, also draws attention to the matter of Mary's own religious policy. By virtue of her position as the Catholic Queen of a Protestant country there was necessarily a certain amount of complexity inherent in that policy. It is in her considered handling of the invitation to Trent that her skilful management of the religious question during the early years of her personal reign is perhaps best shown.²⁸

Maitland had been at pains to assure Cecil that Protestantism was prospering under Mary. It was his opinion that 'the religion' was a 'great deal more increased since she came home than it was before' due to Mary's helpful attitude 'towards these that be of the religion in her own Realm and the religion itself'.²⁹ However, the difficulty of accepting Maitland's appraisal of the healthy state of Protestantism in Scotland under Mary is that at the same time he was praising the

progress of 'the religion' there were many, including the minister of Edinburgh and some of his colleagues, doing the complete opposite.³⁰ Whose position was the more accurate?

Both viewpoints must be treated cautiously. Maitland's was as carefully tailored in its optimism as Knox's was in its pessimism. Maitland was determined to prevent any unnecessary hurdles being placed in the way of Mary's claim to the English succession and he knew that the religious issue could be used against her. Maitland sought to turn Mary's religious policy to her advantage; he was determined to show that the Scottish experience proved there was no reason why Englishmen 'that be zealous of religion should suspect her'.³¹ In so arguing, the delicate combination of the stick and the carrot by which he was he was trying to induce Elizabeth into granting the concession he so desperately sought is clearly revealed. If the revival of the auld alliance was the stick then the godly card playing on the mutual Anglo-Scottish need for Protestant solidarity in the face of the forces of the Counter-Reformation gathered at Trent was the carrot. It was Maitland's belief that it lay in Elizabeth's hands to guarantee that security by recognising Mary as her successor.³² His task was not made any easier by the alarmist fears articulated by Knox, who did not share Maitland's conviction that Protestantism was secure under Mary.

However, for all Knox's concern it can hardly be said that Catholicism was thriving in Scotland. The sorry story of De Gouda's mission, Mary's refusal to establish a new Catholic seminary, her rejection of the invitation to provide Scottish attendance at Trent, together with the slaughter of the greatest Catholic noble in the realm all add weight to Maitland's rather than Knox's appraisal of the state of religion in Scotland.³³ In all these measures it seems, however, that Mary was exercising astute political judgement rather than following an openly Protestant policy, and in this sense Knox was right to be worried. It would have been political madness to set up a seminary along the lines De Gouda suggested. Mary seems to have grasped that the short-term opposition such an inflammatory gesture would have provoked far outweighed the necessarily long-term fruits of such an initiative. Similarly, while the slaying of the 'Pope of the north east' Huntly, had far more to do with temporal rather than spiritual matters,

it was usefully manipulated by Maitland and Mary as illustrative of her support of the new faith. Equally, there were many sound temporal reasons for declining the invitation to Trent.

Maitland was instrumental in the making of that decision.³⁴ He no doubt advised her of how it could be used to dispel fears, both Scottish and English of the dangers of her Catholicism. It could also be usefully manipulated by Mary and Maitland as a gesture of solidarity with Elizabeth's own decision to decline an invitation to Trent. Less obvious but equally pertinent was the fact that Mary's non-attendance enabled her to avoid becoming unnecessarily embroiled in the inner politics of Trent. Mary would have been inevitably caught in the clash between the Papacy and her Guise family, who led the opposition party at Trent.³⁵ At the same time, the fulsome letter of apology she delivered to Pius IV explaining her non-attendance seems to have been successful in helping avoid the discontent of the Papacy, something she does not seem to have incurred until later in her reign under a different pope.³⁶

Knox then was right to view with suspicion the apparent progress of the Kirk. His fear of the threat Mary's personal commitment to Catholicism posed to the security of 'the religion' can also be said to have been vindicated by the successively Catholic Easters Mary celebrated from 1563, peaking with an alleged attendance of 12,000 communicants in 1567 at Holyrood.³⁷ Whether Maitland was unaware or indifferent to such a threat is a moot point. It is perhaps sufficient at this point to say that Maitland was not, despite many Catholic connections in any sense a crypto-Catholic. One of the reasons the Spanish marriage proposal ought to be taken seriously is the fact that Maitland made no attempt in his negotiations with La Quadra to disguise himself as a supporter of Catholicism. La Quadra was quite well aware that 'as regards religion he does not desire the restitution of Catholicism any more than Cecil does'.³⁸

It must not be forgotten that Maitland's religious fervour was always strongly governed by the prevailing political winds. Before drawing any conclusions from Maitland's attitude towards the Scottish religious situation in 1563, it is perhaps prudent to bear in mind that 1563 probably marks the peak of his personal credit with Mary and his

own devotion and commitment to the Queen. It was very much in his own interests to follow her lead and endorse her policy. Is it just chance that his later opposition to the more Catholic aspects of Mary's policy coincided with the times when his own credit with her was low and he himself was not holding the reins of power? If, the conspiracy of March 1566 is to be understood in terms of a Protestant backlash then Maitland was clearly capable of adopting a militant stance on the religious issue when it served his political ambitions to do so.³⁹ In 1563, as Mary's most trusted adviser, sharing confidence at the highest level he had no such worries. While he was no doubt aware of the potential dangers of Mary's own Catholicism he probably felt confident enough in his own ability to ensure these were not realised. At any rate Mary's conduct so far had given him no reason to believe that 'the religion' was in danger.

Maitland's Rising Influence

A clear indication of Maitland's personal power and influence at this time was given by the granting of a commission of justice to Eglinton, 'the veriest rankest and despytefulleste papist of a lord in Scotland' and the admission to the privy council of Ruthven, 'an unworthier there is not in Scotland than he' in 1563.⁴⁰ According to Randolph, the responsibility for both these developments was entirely Maitland's, who had unnecessarily alienated many, including Lord James who was bitterly opposed to both men.⁴¹ There is very strong evidence to suggest that Randolph was correct in blaming Maitland for Ruthven's return to power. A charter of April 1563 from Ruthven to Maitland, granting him lands in East Lothian looks suspiciously like a pay-off for this particular good turn but their friendship was not restricted to that one favour.⁴² Up until Ruthven's death in 1566 Maitland and he were to remain staunch allies. It was Maitland's friendship with Ruthven that enabled him to intervene during the Chaseabout raid with Colin Campbell of Glenorchy, who was married to Ruthven's sister Katherine, with whom Maitland appeared to be on particularly good terms. In 1565 Maitland was termed Ruthven's 'chief friend' and both were later principal conspirators in the attempted coup of March 1566.⁴³

In 1563 Randolph was highly concerned at what he viewed as a most

dangerous and unwelcome development which he felt sprang from Maitland's dangerous tendency to do good to all men but which 'succeedeth evil'.⁴⁴ Maitland's willingness to act against Lord James' wishes in this matter is a particularly significant precedent, for there is little evidence to show Maitland acting in concert with the Queen's half-brother during the course of his mission. On the contrary, the evidence suggests that it was an independent Maitland who was able to serve and promote Mary's best interests during his four month absence from Scotland. It was then a highly sensitive political and religious climate that provided the backdrop to Maitland's mission. It was a mission he was able to undertake at the peak of his personal credit with Mary but under a cloud of suspicion from many of his colleagues, a cloud that was to thicken substantially by the time of his return in June.

Maitland's Arrival In London

According to La Quadra, Maitland's offer of Scottish mediation to the Anglo-French conflict was welcomed by Elizabeth and she requested his immediate dispatch to France.⁴⁵ The same source, however, imputed an ulterior motive to Elizabeth's favourable reception of the peace initiative and her desire to have Maitland in France. This was to prevent giving Maitland the opportunity to press Mary's claim to the succession. Maitland, however, was up to the ruse and after much persuasion managed to force Elizabeth, albeit reluctantly, to send a servant of his to France in advance of his own arrival to ascertain the French willingness for him to undertake the mission.⁴⁶ There is no evidence, however, to suggest that as a result of this concession or at any other point in his mission he was able to advance Mary's claim to the English throne. There is certainly no evidence of him gaining admission to the English Parliament to argue his case.⁴⁷ This frustration on the matter of the succession was shortly followed by disappointing news of yet another unwelcome development. Almost immediately after Maitland's servant had been dispatched to Sir Thomas Smith in order to present the initiative to the French court, news gradually filtered through to London of the assassination of the Duke

of Guise. It was news which inevitably affected the whole prospect of Maitland's mission.⁴⁸

Impact Of The Death Of The Duke Of Guise

According to La Quadra, the death of Guise rendered Maitland's proposed intervention 'ridiculous and contemptible' to the English.⁴⁹ This may well have been the case but events were to show that English joy at the death of Guise was premature. Despite their boastful expectations, England can hardly be said to have benefited from the death of Guise. The assassination actually proved to be the catalyst for one of the most humiliating episodes of English foreign policy in Elizabeth's reign. In a singular display of French national unity which shines out amidst the decades of bloody civil strife in their bitter religious wars, Catherine de Medici was able to seize the initiative of the Duke's death and momentarily convert the French conflict from a sectarian struggle to a patriotic war against the English. Much to the English chagrin, the Huguenots were to prove more than capable of taking the English money and running to the side of Catherine de Medici to force the English out of Le Havre. Yet if the effect of Guise's death on the English intervention in France was clearly catastrophic, it is not quite so easy to adjudge its effect on Maitland's mission.⁵⁰

A good deal depends on whether Maitland did in fact originally depart from Scotland with hidden instructions to promote a Spanish marriage for Mary. If he did, Guise's death and its consequential blow to what might cautiously be called Mary's party in France, must have added a new and greater urgency to the project. If he did not, then, as La Quadra argued, Guise's death can be seen as directly responsible for the resuscitation of the Don Carlos marriage. Both these explanations are entirely plausible but not necessarily conclusive. However, it is possible to be certain of one aspect of the impact of the Duke's death, and that is that it was insufficient to cause the abandonment of Maitland's mission. There appears to have been no question of Maitland being recalled. As soon as Mary discovered the bad news, Pierre Raulet, her French secretary was sent on to Maitland with letters of condolence to deliver in France and perhaps also new instructions. Maitland was still to go to France.⁵¹ That Mary still felt confident enough in her

credit at the French court to intervene in the Anglo-French conflict as she had originally planned, suggests that contrary to La Quadra's opinion, the consequences of Guise's death were not so drastic as he believed.

It does, however, seem likely that Maitland was both perplexed and disturbed by the assassination. Despite Mary's insistence that the mission should go ahead the death of the Duke was a grievous personal blow to her. The spring of 1563 must be recognised as a particularly difficult time for Mary. The death of her beloved uncle had been preceded by the Châtelhard affair and was to be swiftly followed by news of the death of another Guise uncle, Francis the Grandprior.⁵² Randolph was able to report with evident glee the false mourning of the Scottish court with many insincere tears being shed and much laughter suppressed.⁵³ It is clear that Maitland was very unwilling to be the bearer of the bad tidings to Mary and it is not at all clear by what means Mary discovered the news. Possibly it was indirectly via Maitland, for there is evidence to suggest he informed Lord James but it was not until 15 March that Mary was informed.⁵⁴ It was probably at that time that she received Maitland's letter dated 9 March informing her of his discussion of the Spanish marriage with La Quadra. It is quite possible that Maitland timed his letter to boost Mary's flagging morale, following the uncertainty of the English succession, the shock of the Chatelhard affair and the impending blow he knew was about to land of the Guise misfortunes. Such an interpretation certainly adds an extra, intriguing dimension to Maitland's words of comfort quoted at the opening of this chapter that 'thair can not so gryte ane storme comen bot he(God) vill send a port at hand quairhin your ship may be saved. I se experience of this mony wais and even at this same time'.⁵⁵

If all this tends to lend weight to La Quadra's explanation of the revival of the Spanish match, the inescapable fact that it was after the death of the Duke of Guise that the discussions commenced adds even more. Such an explanation also tends to support the view that Maitland was not seeking to implement a secret agenda on this mission but merely, in characteristic style adapting with some élan to swiftly changing circumstances. La Quadra informed his master, Philip that he had espied Maitland's perplexity, saw his opportunity to intervene and

set about doing so by inviting Maitland to dinner. It was to be a long evening for after Paul de Foix, the French ambassador, had departed, Maitland and La Quadra discussed the question of the Spanish match for over five hours.⁵⁶ It is to that controversial matter that attention will now be turned.

The Question Of Maitland's Sincere Support Of the Spanish Match

The contradictory reports of Maitland and La Quadra, which conflict on practically every major point impede accurate comment on the 1563 revival of the Spanish marriage.⁵⁷ Both men insisted that it was the other who initiated the discussion. Maitland argued that La Quadra proposed the match as an alternative to an Archducal one, whilst La Quadra argued that Maitland had been sent down in embassy to initiate the marriage. Yet while it would be helpful in a number of respects, not least in evaluating the extent of Maitland's sincere support for the match, to know which account is more accurate, perhaps the more important thing to be drawn from the confusion is that the marriage negotiations had been launched. If for a moment the conflict between Maitland's and La Quadra's accounts can be sidestepped there is other evidence upon which an assessment of Maitland's sincere support of the Spanish marriage can be based.

Opinion as to the sincerity of Maitland's support for the Spanish match has been split over the years.⁵⁸ Russell, arguably the most accurate authority on Maitland to date, argues strongly against accepting Maitland as an earnest favourer of the match. The main reason for this is that it sits uncomfortably with his image of Maitland as an anglophile proponent of the union. Consequently it has usually been argued that Maitland had a more tactical approach to the match, supporting it to exert pressure on the English to frighten them into concessions regarding the succession and the amity. As this thesis has tried to argue, the image of Maitland as an Anglophile has been somewhat overstated. Even if La Quadra's portrayal of Maitland desperate to achieve the marriage is rejected there are still good grounds for taking seriously the view that Maitland sincerely supported the match.

It is, for example, difficult to believe that in countenancing the

match at all and in so warmly recommending it to Mary that Maitland was not alert to the possibility of it actually being accomplished. Maitland's later letter to Archbishop Beaton detailing Mary's determination for a Spanish match: 'I find her mind only applyit to Spain ... remarking always what she has been and yet is' and his request that Beaton should enter 'in frank communication with the King of Spain's ambassador in that court touching the said Kyng's sonne and his marriage' also suggests he was an earnest supporter of the project.⁵⁹ Interestingly, Maitland's comment on the importance Mary attached to her royal status echoed his own opinion expressed to Mary that 'no petit compaignone' would suffice for her by virtue of 'of quhat ye ar now presentlie quhar ye ar lyke and autht to be heirafter and how honourablie ye have bein maryet heirsofoir' suggests a bias towards Spain.⁶⁰ Much later, in April 1565, Maitland is to be found earnestly petitioning Guzman De Silva, La Quadra's successor to go through with the match, albeit once more it could be argued that he had ulterior motives for doing so, such as to stop the Darnley match at all costs and to buy himself some valuable time.⁶¹

The damaging religious implications of a marriage with Catholic Spain for Protestant Scotland is an argument that has often been used to prove that Maitland was not sincere in his support of the match. The different accounts that both men give of the discussion of the religious problem is used to support such a view.⁶² Yet once again it is perhaps of greater significance that a compromise was at least being discussed in terms of limited religious toleration for Catholics. As mentioned earlier, La Quadra did not have a rosy-coloured view of Maitland's religious persuasion, and his recognition of Maitland's Protestantism lends a business-like air to the negotiations that is too often denied.⁶³ Of course wilder speculations of Lord James' ability to win the Kirk over to granting wider toleration to Catholics must be suspected and La Quadra's view of Philip as a 'wyse politique prince' similarly so.⁶⁴ Yet, despite Philip's formidable historical reputation as a Catholic ruler, La Quadra was arguably correct to insist that he was not a 'soldado del papa'. Philip may well have been prepared to permit limited religious toleration.⁶⁵ Maitland himself was always able to do business with Catholics and in this sense the question of religion,

while undoubtedly a major obstacle, should not be regarded as an insurmountable hurdle to the acceptance of Maitland as a sincere proponent of the match.

It does, however, appear likely that in March 1563 Maitland was playing with his usual legerity the fraught game of international diplomacy very well indeed. His main priority in what was a very turbulent and constantly changing climate was to try to assess Mary's options accurately, particularly as regards the English succession. What he was determined not to do at this early stage was to cut down the options open to Mary. It may well be, that his discussions with La Quadra were designed merely to exert pressure on Elizabeth but the evidence certainly permits the view that Maitland was prepared to sincerely support a Spanish marriage for Mary.

La Quadra also raised with Maitland the prospect of a marriage between Mary and the Archduke Charles, rumours of which were apparently rife in Europe. Maitland was right to say that he had heard more talk of this in England than in Scotland.⁶⁶ He was to hear even more of it in France. He seems to have left for France by 3 April but before focusing attention on his time in France some brief comment must be made on his diplomatic activity with the English.⁶⁷

Maitland appears to have successfully maintained an amenable front with Elizabeth, obtaining her approval for his journey into France and discussing with her the question of Mary's marriage.⁶⁸ There is also evidence that Maitland was involved with the English Privy Council's handling of the earl of Lennox's complaints.⁶⁹ It is difficult to discern Maitland's attitude to Lennox at this time although it does appear that on this occasion he merely re-stated the argument he presented during the Reformation crisis, designed to prevent a Lennox restitution at that time. There certainly appears to be a pro-Hamilton bias in his submission, defending Châtelherault from the charge of bastardy, a bias which adds to the confusion surrounding Elizabeth's decision in June to promote Lennox's return to Scotland.⁷⁰

What is clear however is that Maitland had not made any progress on the matter of the succession. Indeed according to La Quadra, Maitland had said that even mentioning the succession was the surest way to ensure Elizabeth 'shut her mouth directly'.⁷¹ According to the same

source, it was at this point that Elizabeth actually proposed Dudley as the most fit match for Mary, a suggestion which at the time Maitland refused to treat seriously and laughed off as a joke. It is hardly surprising that with the apparent choice of Don Carlos, the Archduke Charles, Dudley or even his brother, Warwick that Maitland made such strenuous efforts with Spain.⁷² He appears to have been helped in this respect by the arrival of Raulet from Scotland. Raulet assisted Maitland by emphasising to La Quadra (somewhat spuriously) the enthusiasm in Scotland for the Spanish match and by warning La Quadra that if Mary could not marry Don Carlos then she would turn to France and Charles IX.⁷³ However unrealistic this proposal may seem in hindsight, with Maitland about to go off to France the threat seems to have succeeded in prodding Philip into action.⁷⁴

Before he left for France he gave La Quadra a packet of letters to be sent on to Cardinal Granvelle. This is an interesting precursor of the growth of importance of this channel of communication for Mary with foreign courts. Granvelle was to be heavily involved in the subsequent negotiations for the Spanish match. On this occasion though some of the letters were apparently for the Cardinal of Lorraine, and some for Philip himself, the letter to Lorraine almost certainly contained Mary's apology to Pius IV for her non-attendance at Trent.⁷⁵

Maitland's Arrival In France

Maitland's departure for France in early April was to signal yet another twist in his mission. He was certainly able to carry out the personal part of his business, successfully delivering the letters of condolence and dealing with several matters concerning Mary's own property.⁷⁶ There are also grounds for believing that his attempts at mediation were a good deal more successful than he has been given credit for. Yet as had been the case in England it was once more the question of Mary's marriage that seems to have occupied most of his time.

As far as Maitland's attempts at mediation were concerned he seems to have made a favourable impression with Sir Thomas Smith, who believed him to be 'an honest well meaning man'. Smith was not always to hold such a generous opinion of Maitland and was later one of his

sternest critics. He later described Adam Hume as 'altogether a Lethington whom he would find double or rather triple having pensions from all three princes'.⁷⁷ However, during the course of his mission both Smith and his colleague Henry Middlemore held Maitland in high regard.⁷⁸ They had, as Sir Henry Killigrew testified, good reason for doing so. It was through Maitland's credit alone that Killigrew was released from his nine-month imprisonment in France. Maitland had been able to use Mary's credit with D'Amville, the Constable Montmorency's son, to secure his release, an indication that Mary's credit was perhaps not entirely dependent upon the Guisard connection.⁷⁹ Killigrew had been an early casualty of the English campaign and his imprisonment had no doubt given him time to reflect on his *gung ho* attitude of 1562 'that it lay in Elizabeth's hands to banish idolatry out of France'.⁸⁰ No doubt equally impressive to the English diplomats was Maitland's resistance of Catherine de Medici's intense efforts to formally renew the auld alliance.

Maitland's resistance of Medici's overtures is yet another example of his skilful 'politic pliancy'. He knew exactly how to play to a particular audience. He could satisfy the French by insisting that the auld alliance needed no renewing.⁸¹ It has already been shown how fragile Maitland felt the amity to be and he was probably able, in classic Maitland fashion, to comfort the French with the same view. At the same time he could be perceived by Smith and Middlemore as favouring the English alliance by not formally renewing the auld alliance.⁸² He certainly seems to have been successful in his dealings with the French court and perhaps not unsurprisingly was far more successful than Smith. Smith was clearly jealous of Maitland's easy access to the French court and complained to Cecil that Maitland:

has the Queen Mother so ready to grant the Queen of Scotland all his requests that he plieth his harvest and hath bein these four dayes at Paris about the dispatch of them and within three fair dayes he goeth home. Omnes que sua sunt querunt!.⁸³ 1

Part of the reason for Maitland's success was no doubt his ability to allay Catherine de Medici's suspicions of his negotiations with De Quadra over Mary's marriage, which he assured her were designed merely, 'to caus England grant to our desyris'.⁸⁴

Although it took a long time, (Maitland was in France for almost six

weeks), he was able to make some progress in promoting a negotiated settlement to the Anglo-French conflict. In so doing Maitland made it clear to Elizabeth that she was in a hopelessly indefensible position, if not morally then certainly strategically and that the sooner she began to treat for peace the better.⁸⁵ Arguably Elizabeth never did come round to accepting this sensible advice but there is evidence to suggest that Maitland was instrumental in promoting the unsuccessful peace negotiations in London in June 1563. The catholic D'Allouy, the French secretary of commandments and the Huguenot De la Haye who together with Paul de Foix made up the French negotiating team were dispatched into England shortly after Maitland's own departure.⁸⁶

While in France Maitland seems to have been particularly well looked after by yet another of Mary's uncles in France, Cardinal Louis de Guise.⁸⁷ It was Louis who informed Maitland of Lorraine's proposal, apparently made to the Emperor at Innsbruck in February 1563, that Mary should marry the Archduke Charles.⁸⁸ If to be fore-warned is to be fore-armed then his negotiations with La Quadra were certainly useful in helping him prepare his response to this proposal. His letter to Mary, in which he informed her of the match and of Du Croc's mission to discuss the same with her, contrasted sharply to his own private view of the match.⁸⁹ This is possibly explained by the fact that the bearer of his letter was Du Croc himself. Mary's own diplomatic, public response also contrasted greatly with her own private opinion. She was furious that Lorraine should so far have exceeded himself to have proposed a marriage for her, especially one that never, for a number of sound, financial and political considerations attained a high place in Mary's plans. She was 'loth to have it thought that the Cardinal of Lorraine was a suitor for her in marriage to the Emperor's son.'⁹⁰ Similarly, in 1565, Maitland insisted to De Silva that in 1563 after discovering Lorraine's proposal he had immediately written off to the Cardinal, 'a toda furia' expressing his anger at the proposal even before he had left England. There is, however, no contemporary reference to that letter in 1563 and the picture that emerges of Maitland in France is of him maintaining a polite diplomatic front, content within himself that the project would fail anyway.⁹¹

Maitland's Letter To Mary Of April 1563

Lorraine's support for the Archducal match was undoubtedly yet another unwelcome complication for Maitland. In 1560 Lorraine had been one of the principal supporters of the Spanish match but if Maitland was banking on his support for it in 1563 he badly miscalculated.⁹² That Maitland was anticipating being able to win Lorraine over to the Spanish match is evident from a fascinating letter of his to Mary written from Chenonceaux and dated 16 April 1563.⁹³ In this letter which is perhaps the most instructive of all his correspondence during the mission, he set out albeit in general terms the question of Mary's marriage and offered a wide ranging analysis of English, French and Scottish opinion on the subject. He also detailed the amount of co-operation and opposition she could expect to encounter in making her choice. In so doing Maitland lamented that he was not able to talk directly with Mary as much of his message was too important to be committed to paper. That Maitland was not able to speak his mind fully must be taken into account.

Maitland's basic premise was that of 'foraine nations your majesty has most to do with France and England'. He correctly observed, as far as France was concerned, that the:

Quene mother and hail estate of the realme care not greatly of your marriage or with whom it be providing it bring with it no peril to this crown and that I judge they take onely to be gyf ye join your self to Spain.

Perhaps incorrectly in the light of Lorraine's support of the Archducal match, Maitland observed that 'your onkles kynfolk and special friends have no respect bot onlie your grandeur for therewith is joyned there advancement and surety.' Future events, particularly the progress of the Spanish match were to show that Mary's kinfolk were perhaps more mindful of Catherine de Medici's ambitions than Mary's.⁹⁴

In England, Maitland defined 'three diverse factions', the Catholics, Protestants and Elizabeth herself. At this early stage Maitland was perhaps not too wide of the mark in believing that Elizabeth was not so much concerned about the religion of Mary's husband but of his military power. Darnley certainly filled this criterion and this was perhaps in Elizabeth's thinking when she originally approved his return to Scotland. Unsurprisingly, Maitland reckoned that the English Catholics

favoured 'ane of thair religion of whome she (Elizabeth) might be in most doubt, that had the greatest forces and especially the Prince of Spaine'. Correspondingly the Protestants favoured 'ane of thair religion of quhome for all events thei neid not to feare any change of the estate of yair religion.'⁵

Maitland then turned to Scotland and set out the way Mary would have to handle her own subjects. He was convinced there was not 'anye so unnatural subject that thei would your majesty should not marie' or at least none who would admit it but he did point to the fact that although 'the best part would accomode themselves and dispose their affections to your own contentment but I doubt not but their be ones inclining quilk for diverse repects wishe diversely'. Somewhat ironically, in view of his own opposition to the Darnley and Bothwell marriages, Maitland himself felt that Mary's 'own contentment' was the chief consideration of the matter. To win her subjects round to her own choice, Maitland warned against making a hasty choice and advised Mary to 'feill the mynds of the nobilitie and by the labouring, credit and persuasion of them quhay are best affected induce the others to lyk of it'. As usual, he was able to offer an apposite analogy to illustrate the difficult dilemma her marriage presented; 'the nut will be hard to crak and yet your majesty have the kernel'. There were as Maitland rightly admitted, 'so many and different humours' she had to contend with that it seemed almost impossible to come to any satisfactory conclusion. ⁶

It was here though that Maitland was able to offer Mary encouragement that the complexity of the problem could be used to her advantage. In so doing Maitland revealed his own remarkably open mind at this point as regards Mary's choice of husband. Maitland argued that persuasion of some sort would inevitably have to be used and, working on the principle that 'for feare of greater inconvenience some tyme for avoyding thereof we can be prepared to admit the smaller' he maintained that 'they who would mislyk of a marriage being nakedlie proponed... for some respects may be driven to lyk of it'. For example, Maitland argued that some 'rather than to haif the prince of Spain will be persuadit to lyke the emperor's sonne and so perhaps rather than to admit the erle of Lennox sonne be content of ather of them bayth according to your

humours'.⁹⁷

His mention of Darnley is of especial significance. Darnley's parents had long been angling at his marriage with Mary but that Maitland was prepared to consider it at this stage along with Don Carlos and the Archduke is striking. In the light of Elizabeth's subsequent letter - which Maitland carried home with him in June - stating that she was supporting Lennox's efforts to be restored in Scotland, it is even more so. It perhaps shows that Maitland had not argued against Lennox's restitution in the English privy council in March 1563 and certainly adds another interesting perspective from which to view Lennox's return. Equally significant is the absence of any mention of a match with Charles IX. As Maitland's depiction of Catherine de Medici's opinion showed, such a match was remote. This of course did not prevent Maitland on his return to England from continuing to frighten La Quadra into action with rumours of a marriage between Mary and Charles.⁹⁸ That it did work, despite Philip's support of the the Archducal match showed that perhaps as La Quadra had admitted in March, Philip's 'sarke is narrer hyme nor his coit'.⁹⁹ Yet perhaps most significant of all, and again somewhat ironic given his later opposition to the Darnley match, was his advice that Mary should 'seme to requyre the Queen of England's counsell and advyse in it albeit ye will not stand to hir resolution in it'.¹⁰⁰

Maitland's Return

Maitland appears to have left France on 22 May in the company of the released Henry Killigrew.¹⁰¹ As mentioned earlier, he was followed shortly by D'Allouy and De la Haye. Maitland was certainly involved in the subsequent negotiations as Cecil's correspondence shows.¹⁰² That the talks failed appears to have been due to a mixture of English intransigence and an apparent division between the French commissioners. Maitland never seems to have veered from his view that an English withdrawal was essential and his later letters to Cecil after the English had been completely and ignominiously defeated have a definite 'told you so' ring about them.¹⁰³

Before he left for Scotland, Elizabeth not only informed Maitland of her decision to support Lennox's restitution in Scotland but also, if La

Quadra is to be believed, disclosed her discontent with his intrigues for a foreign match with Mary.¹⁰⁴ More than this Elizabeth made clear that if Mary married Don Carlos or the Archduke or any member of the House of Austria she would become her mortal enemy. If, however, she followed her advice and married as Elizabeth saw fit 'she would not fail to be her good friend and sister to her and make her her heir'.¹⁰⁵ While being cautious as ever in accepting La Quadra's word, that his version bears a striking similarity to the official instructions given to Randolph some seven weeks later, suggests Maitland did take a verbal message back to Scotland to that effect.¹⁰⁶ Elizabeth herself, described Randolph's instructions as being 'in the same sort as we partly shewed our mind to the Secretary the L. of Lidington'.¹⁰⁷

Maitland arrived back in Edinburgh on 24 June.¹⁰⁸ His return had been eagerly awaited by all. It was hardly surprising that he was warmly welcomed by Mary. They had much to discuss. His mission had done nothing but enhance his credit with her and this was to continue to rise in the year ahead. Perhaps the best illustration of this was her gift to him of the abbey of Haddington in December 1563. According to Randolph the abbey made him 'equal with any man that hath his whole lands lying in Lodian'¹⁰⁹ and Professor Donaldson has confirmed that the abbey was a most lucrative reward probably worth £2,500 Scots annually.¹¹⁰

Even though he had missed the impressive opening of Mary's first Parliament with Châtelherault carrying the Crown, Argyll the Sceptre and Moray the Sword, his interests had not been neglected.¹¹¹ He was included on a commission to reform St Andrews University and more importantly named as one of the commissioners along with his father, Sir Richard to interpret the terms of the Law of Oblivion. Less important but further illustrative of his family's growing involvement in the government of Mary Stewart was the inclusion of his father on a parliamentary commission to promote standard weights and measures throughout the realm.¹¹²

It was yet another indication of his skill that he was swiftly able to dispel Moray's hostile suspicion of him and his mission. Whether Maitland revealed his mind entirely to him must be questioned and it does seem likely that Maitland gave him a carefully tailored account

of his mission. For although Moray was mentioned in some quarters as a favourer of the Spanish match, it is a good deal more difficult to regard him as an earnest supporter of the match than it is Maitland. It has been argued that Moray supported the Spanish match out of a desire to see Mary out of Scotland and safely housed in the Escorial, thereby ensuring a return to the good old days for himself, but this argument fails to convince.¹¹³ Most likely, Maitland told him that in all his diplomatic adventures he had merely been trying to exert pressure on Elizabeth in order to strengthen the amity. Whatever he told him seems to have worked, for in the following two years they are to be seen working closely together seeking a marriage for Mary with the consent of Elizabeth in return for recognition of Mary's claim to the succession.

Knox, however, believed Moray was Maitland and Mary's dupe for doing so.¹¹⁴ He remained highly suspicious of Maitland, believing that not only had he been promoting a Spanish match but also hatching the downfall of Moray and Châtelherault by procuring the return of Lennox, favouring Athol and gaining the freedom of Bothwell, all the while ensuring he himself remained high in credit with Mary.¹¹⁵ This is not one of Knox's more outrageous allegations and he was certainly correct to draw attention to Maitland's friendship with Athol but it is still a suspect picture, not least in the belief that Maitland positively supported the freedom of Bothwell.¹¹⁶

As argued in the previous chapter, it was perhaps a measure of Mary's successful personal rule, as evinced in the recent parliament, that her detachment of influential nobles from Knox and his like-minded radicals ensured that the discontent of Knox was of no great moment. As in the Reformation parliament, so in these early years of Mary's personal reign the secular considerations of the nobility, who had good enough motivation following the slaughter of Huntly and the recent Law of Oblivion for not falling on the wrong side of Mary, was a constant hurdle in Knox's continuous desire for a 'perfect Reformation'.¹¹⁷

Summary Of Maitland's Mission

The tangible fruits of Maitland's mission are listed extensively in Robertson's *Inventaires*, which detail a rich cargo of silks, satins, furs

and taffettas together with a portrait of Mary's mother which Maitland had brought back from France.¹¹⁸ This portrait was to remain among Mary's most treasured possessions and accompanied her on all her travels throughout her captivity being found amongst her belongings in Fotheringay.¹¹⁹ Less concrete but far more significant was the political impact of the mission.

The fundamental difficulty in evaluating this is the uncertainty as to what Maitland set out to achieve. It is difficult to imagine ever being completely certain in this respect but perhaps this is no bad thing. It would certainly be convenient if there was a clear-cut explanation but any such account would be greatly at odds with the highly complex, uncertain political ambience that reigned over Europe in the early 1560s. As it is, his mission accurately reflects this uncertainty and his skilful diplomatic negotiations with France, England and Spain display Mary's determination to ensure amidst this confusion, that by whatever means necessary, her own interests, in particular her concern for the English succession were not neglected. Although Maitland did not achieve any formal recognition of Mary's claim, it does seem likely that it was his industrious diplomacy with France and Spain that provoked Elizabeth into offering Mary marital advice with the recognition of her claim as the carrot designed to secure her compliance. Whether it also provoked Lennox's restitution or was just coincidental to what was becoming an increasingly, inevitable development is impossible to say.¹²⁰

In this sense it would be wrong to give Maitland's mission of 1563 a false importance. By no stretch of the imagination did it define the issues that were to dominate Anglo-Scottish relations in the coming years. These were in any case obvious from almost the minute Mary had decided to return to Scotland. Yet it did confirm them. It also exposed the amity for what it was: nothing but a precarious, private friendship unendorsed by any binding or public contract. Perhaps, though, in actively pursuing the alternatives open to Mary rather than meekly following the wishes of Elizabeth, Maitland set the scene for the eventual collapse of the amity in 1565. The essential difference, as far as Maitland was concerned, between 1563 and 1565 was his own control of the alternatives. Perhaps he had taught Mary too well for in 1565 he

was to be a casualty rather than perpetrator of the sort of diplomatic finesse of which in 1563 he had shown himself to be the master.

NOTES

- 1 BL Addit. MS 32,091/195, also printed in M. Philippon, Histoire du Regne de Marie Stuart, (Paris, 1891), iii, 458-465.
- 2 Diurnal, 75
- 3 CSP Spanish, 1558-1567, Philippon, *ibid.*, ii, 175-95; Papal Negs, lxxv-lxxvii, 177-8; CSP Scot, i, 683-89, ii, 1-26 *passim*, CSPF, vi, 113-389.
- 4 SP 70.75.685
- 5 RPC, xiv, 185-88, Keith, History, ii, 188-92, A. Labanoff, (ed), Recueil des lettres de Marie Stuart, i, 161-9.
- 6 Knox, History, ii, 63-4, 84-5.
- 7 CSP Scot, ii, 8-12, CSPF, 1563., 113.
- 8 *ibid.*, ii, 11.
- 9 *ibid.*, ii, 11.
- 10 CSPF, iii, 472-3.
- 11 SP 52.14.4, CSP Scot, ii, 344.
- 12 SP 70.57.679, CSPF, 1563, 344.
- 13 CSP Spanish, 416.
- 14 Papal Negs, 163; S. Adams recognises this channel in 'The release of Lord Darnley and the failure of the amity' in Lynch, Mary, 125., (hereafter Adams, 'Darnley').
- 15 See my chapter 4, conclusion.
- 16 *ibid.*, *passim*.
- 17 Keith, History, ii, 182-85.
- 18 M. Merriman, 'Mary Queen of France' in Lynch, Mary, 45.
- 19 Keith, History, ii, 182-5.
- 20 *ibid.*, ii, 182-5.
- 21 *ibid.*, ii, 182-5.
- 22 Adams, 'Darnley', 134.
- 23 Keith, History ii, 182-5.
- 24 See my chapter 4, *passim*.
- 25 The words were Lord James', BL Egerton 1818/13; the sentiment Maitland's, see, J.H. Pollen, (ed), Queen Mary's letter to Guise, (SHS, 1904), 38 for Maitland's view of the succession as the 'only moyen'.
- 26 RPC, xiv 185-88.
- 27 *ibid.*, xiv, 185-88.
- 28 Papal Negs, see the section dealing with Trent, 162-90 *passim*.
- 29 Keith, History, ii, 182-5.
- 30 Knox, History, ii, 12-13 and *passim*.
- 31 Keith, History, ii, 182-5.
- 32 This was Maitland's consistent view and is a recurrent theme of this thesis, see note 25.
- 33 Papal Negs, 162-90, and my chapter 4

- 34 Papal Negs, 142-3, see de Gouda's mission, 113-58 passim. See also Maitland's conduct during Moretta's embassy from the Duke of Savoy in 1561-2, CSP Scot, i, 593.
- 35 H. Jedin, Crisis and the Closure of the Council Of Trent, (London, 1967), 83-87.
- 36 Papal Negs, 396-8; I.B Cowan, 'The Roman connection: prospects for Counter-Reformation during the personal reign of Mary, Queen of Scots' in Lynch, Mary, 105-119.
- 37 Papal Negs, 520; for her 1563 celebration of Easter at St Andrews see CSP Scot, ii, 6. Her celebrations of 1565 are dealt with in chapter 6.
- 38 CSP Spanish, 317.
- 39 Chapter 5 examines in detail Maitland's role in the *coup d'etat* of 1566.
- 40 CSP Scot, i, 687, ii, 11.
- 41 *ibid.*, ii, 11.
- 42 RSS, v, pt. i, 1286.
- 43 This is developed in chapter 5 but see CSP Scot, ii 153. I am grateful to Dr.Dawson for highlighting Maitland's friendship with Katherine Ruthven, and the references to their correspondence in GD 112/39/1-132.
- 44 CSP Scot, ii, 11.
- 45 CSP Spanish, 305-12.
- 46 *ibid.*, 307.
- 47 M. Levine, The Early Elizabethan Succession Question, (Stanford, 1966), 58-60.
- 48 CSP Spanish, 1558-67, 307.
- 49 *ibid.* 307.
- 50 The debacle of English foreign policy is well chronicled in all the standard works but see W.T. MacCaffery, The Shaping of the Elizabethan Regime, (New Jersey, 1968), 86-101.
- 51 Raulet's departure is detailed in CSP Scot i, 688.
- 52 The deaths of Mary's kindred are noted in Fraser, Mary, 251.
- 53 CSP Scot, i, 688.
- 54 *ibid.*, i, 688.
- 55 Philippson, Regne, iii, 465.
- 56 *ibid.*, iii, 461.
- 57 CSP Spanish, 305-12 for La Quadra's version; and Philippson *ibid.*, iii, 458-65, for Maitland's.
- 58 Russell, Maitland, 183; Fraser, Mary, 257, admits his true attitude can only be guessed at; Philippson and Froude both reckoned Maitland was serious in pursuit of the match as does . Lee, Moray, 112.
- 59 BL Egerton 1818/18.
- 60 Philippson, Regne, iii, 462.
- 61 CSP Spanish, 418-426.
- 62 *ibid.*, 305-12 and Philippson Regne iii, 458-65.
- 63 *ibid.*, 305-12, iii, 458-65.
- 64 CSP Spanish, 317.
- 65 In Philippson Regne, iii, 458-65, Maitland told Mary of Philip's different religious policies in different territories - Flanders, Naples, Sicily, Milan, and Spain 'as may best stand with the polyce'.
- 66 CSP Spanish, 1558-67, 308.
- 67 *ibid.*, 317 for details of Maitland's departure.
- 68 *ibid.*, 313 for his discussion of the marriage; CSPF, vi, 260 for his

- good treatment from Elizabeth.
- 69 CSP Scot, i, 690-4.
- 70 *ibid.*, i, 693, but the actual MS in SP 52.8.24. is dated 1559-60, which suggests that Maitland put forward the same argument he had presented during the Reformation crisis.
- 71 CSP Spanish, 313.
- 72 *ibid.*, 313
- 73 *ibid.*, 317
- 74 Papal Negs, lxvi, 177, details Philip's response.
- 75 *ibid.*, 168 and 163 for the development of the Granvelle communications network; CSP Spanish, 319.
- 76 Maitland's personal business is clear from the cargo he brought home, detailed in J. Robertson, (ed.), Inventaires de la Royne d'Ecosse. Douairière de France, (Bannatyne Club, 1863), 57 and CSPF, vi, 211.
- 77 CSPF, vi, 318 for Smith's good opinion of Maitland and SP 70.74.549 for his later accusation of Maitland holding pensions from France and Spain. See SP 70.75.685 for Smith's later description of Adam Hume, as 'altogether a Lidington whom you shall find doble I am afraid or rather tryple having cause and pencion of all three princes'.
- 78 CSPF, vi, 346 for Middlemore's good opinon of him.
- 79 *ibid.*, vi, 367; see also A.C. Miller, Sir Henry Killigrew: Elizabethan Soldier, Diplomat and Spy, (Leicester, 1963) *passim* for Killigrew's relationship with Maitland.
- 80 CSPF, v, 344, for Killigrew's 'penny spent now will save three later' routine.
- 81 *ibid.*, vi, 346.
- 82 *ibid.*, vi, 346 but see SP 70.57.682 for more details.
- 83 SP 70.57.679.
- 84 Knox, Works, vi, 540.
- 85 SP. 70.55.573.
- 86 CSPF, vi, 356 and 369-70.
- 87 Adv MS. 6.1.13 f13 and *ibid.*, vi, 283.
- 88 Papal Negs, lxv and Adv MS. 6.1.13. f13.
- 89 There are sound reasons to believe that Maitland was sincere in his negative response to La Quadra of the archducal project. CSP Spanish, 1558-67, vi, 305-11, and CSPF, 418.
- 90 .Hay-Fleming, Mary, 316, note 17.
- 91 Papal Negs, lxv.
- 92 Lorraine's earlier support for Don Carlos was noted by Throckmorton in January 1561 in CSPF, iii, 491; see also CSP Venetian, vii, 290. I am grateful to Dr. Simon Adams for the reference to Lorraine's change of heart on this issue as early as May 1561; Collección de documentos ineditos para la historia de Espana, vol 98, Conde de Lunato Philip II, 24 May 1561
- 93 Adv MS 6.1.13
- 94 *ibid.*,
- 95 *ibid.*,
- 96 *ibid.*,
- 97 *ibid.*,
- 98 CSP Spanish, 1558-67, 338.
- 99 Philippson, Regne, iii, 463 and Hay-Fleming, Mary, 87. 317 dispute the transcription of sarle and sarke.
- 100 Adv MS, 6.1.13. f13.

- 101 CSPF,vi, 361.
- 102 ibid., 387-9.
- 103 CSP Scot ii, 21, SP 52.8.56.
- 104 CSP Spanish,1558-67, 338-9.
- 105 ibid., 338-9.
- 106 CSP Scot, ii, 19 and Keith, History, ii, 205-8.
- 107 ibid., ii, 19 and Keith, History, ii, 205.
- 108 CSP Scot ii, 16.
- 109 ibid, ii, 28.
- 110 G. Donaldson, 'The Cistercian Nunnery of St Mary, Haddington' in East Lothian Trans., 5, (1952), 19.
- 111 CSP Scot ii, 10.
- 112 APS ii 535-45.
- 113 J.H. Burns, argues this in 'The political background of the Reformation 1513-1625' in ESR, 1-38.
- 114 Knox, History, ii, 84-85.
- 115 ibid., ii, 84-85.
- 116 Maitland and Bothwell were local rivals as well as being in fundamental disagreement over national affairs. See, Donaldson, 'Cistercian nunnery'. While Maitlad did work to secure Bothwell's relase this was mostlikely done under pressure from Mary; CSP Scot, ii, 39. and ibid., i,678-681.. Moray can hardly be said to have been on good terms with Châtelherault at this time.
- 117 Knox, History, ii, 78, 93. details the collapse of his friendship with Moray.
- 118 Robertson's Inventaires, 57.
- 119 Fraser, Mary, 133.
- 120 Adams 'Darnley', 129-44.

CHAPTER SIX
THE COLLAPSE OF THE AMITY
1563-66

As no man's hart I beleave is clear voyd of ambition so I am already entered with myself to imagyne what glory it shal be for us both not onely whilest we ar onlyve but also after our death in the mouthes off the posterity to be named as medlars and chefe doars in so godly and honorable a werk as is the union off these two nations, which so long have continewed ennemyes to the greate decay of both." Maitland to Cecil. 1 February 1565

The course of the years covered by this chapter were to shatter Maitland's eloquent but misplaced confidence in his efforts to secure a perpetual amity between England and Scotland. This chapter will attempt to examine the reasons for that failure and analyse its many and far-reaching consequences. For Maitland, those consequences were particularly dramatic as the stark contrast between his standing in the summer of 1563 as Mary's most intimate adviser and as a forfeited political exile in 1566 shows. While difficult to pin down amidst the complicated intrigue that surrounds these years, the image that emerges of Maitland greatly enhances the further delineation of the man and his motives. Although, in 1565-6, Maitland actively opposed Mary for the first time in her personal reign, much of his behaviour was typically characteristic. His skilful diplomacy during Mary's marriage negotiations, his judicious decision not to join the Chaseabout raid and the classic fusion of religious, political and personal disaffection that marked his participation in the attempted coup d'état of March 1566, so reminiscent of his betrayal of Mary's mother in 1559, all exemplify this.

From the evidence presented in the preceding chapter it is perhaps more surprising not that the amity collapsed but, that as late as 1565, Maitland was so optimistic as to the prospects of success. His mission of 1563 had made it clear that the amity was becoming increasingly synonymous with a mutual suspicion and distrust rather than 'ane mutual reciproque luif and benevolence betwixt the twa nations.'² The

stern rebuke Cecil gave Maitland in August 1563, after he realised - albeit hazily - the dangerous extent of Maitland's recent diplomacy, served notice on the downhill trend in relations between the two countries and the two Secretaries. Cecil urged Maitland to reject the 'devisies and determinations of ye Cardinall of Lorryayn concevyed in a congregation of Antichristes soldyars' and to stay true to his professed zeal for the 'perpetuall reconciliation of these two realmes in unitie of hart'.³ Similarly, Maitland's avowal to Dudley in October 1563 that 'I was once almost determined to forbear any further dealing considering with myself the less meddling the less danger especially where little hope was that matter would fall out aright' reflected the less than propitious outlook for the future of the amity.⁴

There is a strong case for viewing the course of Anglo-Scottish relations in the years 1563 to 1565 as a straightforward continuance of the pattern established since 1561. The manner in which the Lennox restitution and the Leicester marriage proposal were handled was certainly in keeping with the stop-go, yes-no pattern that had become so familiar in the first two years of Mary's personal reign. In the autumn of 1563, however, relations seemed to have taken a significant up-turn again. This was clearly Maitland's opinion, 'So now seeing some liklihood of the right trade I begin to take some comfort...now I am content to return to my accustomed manner of doing.'⁵ This revival was due principally to Elizabeth's offer of a marriage advisory service for Mary, with the prospect of the recognition of her claim to the English succession as the reward for her compliance.⁶ Mary's subsequent, positive response to Elizabeth's promotion of Lennox's restitution confirmed this revival and heralded yet another 'yes-go' phase of the amity. This mutual support of Lennox's return was the most positive proof of the amity since Mary's return. It was far more significant than any minor gestures of goodwill such as the courteous handling of Mary's homeward-bound French relatives, for now the two Queens were in complete agreement over a major item of policy.⁷

Dr Adams' clear depiction of the background surrounding Elizabeth's support of Lennox's restoration upholds such a view. In arguing against cynical, sinister motives lying behind Elizabeth's original decision, he has highlighted the irony of the damage that both the Lennox

restitution and the subsequent Leicester proposal eventually caused the amity.⁸ Yet while Dr Adams' interpretation holds true for Elizabeth's original decisions in promoting both these matters, it collapses once her subsequent handling of them is considered. Sympathetic Anglo-Scottish action as regards Lennox's return was particularly short-lived. Almost as soon as Scottish consent had been given to the restitution, an all too familiar pattern emerged and the amity once more lapsed into a 'no-stop' phase. Elizabeth, in typical fashion, was no longer sure. She changed her mind and the issue descended into a discordant conflict, the epitome of all that was wrong with the amity. From having been potentially the best proof of the amity, it developed into the greatest threat to it.⁹

Maitland's Attitude Towards The Lennox Restitution

Maitland and Moray were furious at this volte face. In stinging letters to Cecil they denounced it, delivering several home-truths to the English Secretary of his and Elizabeth's manner of dealing.¹⁰ They made it clear how preposterous Elizabeth's demand for Mary to withdraw her permission for Lennox to return was, reminding Cecil that agreement had only been given in the first place because of Elizabeth's request. If she now thought otherwise, she could stop Lennox herself but they were not prepared to be her lackeys in the matter. They warned Cecil that 'factions are not so easily to be suscitat in this country as some would believe'.¹¹ Maitland went further and directed a cutting gibe at Elizabeth's irresolution by offering a direct comparison with Mary, who:

having once given him liberty under her great seal to come, it will be hard to persuade her to revoke it and I dare not presume to enter on such with her majesty knowing how she respects her honour where promise is once passed and how unwilling she is to change her deliberations when once resolved which as she will not do her self so doth she altogether mislike in all other!¹²

Maitland and Moray's stance on the Lennox restitution could not have been more vehement. Their dismissal of the claims that Lennox's return 'shall breed troubles not only in religion but in civil causes' is, with hindsight, spectacularly ironic.¹³ Maitland insisted that 'religion here does not depend upon my lord of Lennox coming nor do those off the religion hang upon the sleeves off any one or two that may mislike his commyng', and claimed Lennox's homecoming 'to be no great matter up or

downe'.¹⁴ Time was to show the irony of Maitland's arrogant assertion that anyone who did not share the like opinion 'wilbe fayne to put water in his wyne'.¹⁵ In the summer of 1565 it was Maitland and Moray - and not those who had voiced disapproval, notably Knox, Kirkcaldy, Randolph and the Hamiltons - who were to be forced to cultivate a taste for de-alcoholised beverages.¹⁶ This determined stance of Moray and Maitland is, with hindsight, scarcely credible. It is when an attempt is made to assess the political climate as it was at the time of the parliamentary restitution of Lennox in 1564 that their attitude becomes a good deal more explicable.

Part of the answer surely lies in their confident belief in the security of their positions as Mary's chief advisers and their ability to guide and direct her policy. For it is inconceivable that they would knowingly seek to introduce legislation that would weaken their position. It has recently been convincingly argued that in restoring Lennox at a time when the Leicester match and the Spanish match were still very much alive that it is hard to believe Mary was already determined on marriage with Darnley and the wholesale restructuring of the court around the Lennox interest.¹⁷ It is even harder to believe that Maitland and Moray were in unanimous agreement with Mary that she should follow that course. Darnley's name was on many people's lips at this time and it has already been noted that Maitland certainly considered him a potential husband for Mary. It is difficult to argue with the view, however, that even as late as Darnley's arrival in Scotland in 1565, he was but one of several candidates, although their numbers were diminishing.¹⁸

Maitland and Moray's enthusiasm for the restitution does reveal a distinct disinterest in the only certain losers of Lennox's return, the Hamiltons. If the re-structuring of the court in 1565 was not a foreseeable consequence of Lennox's restitution, then the adverse effect on the Hamilton's dynastic ambitions and local influence over territories which, during Lennox's twenty-year absence they had advantageously extended, surely was. Châtelherault could not fail to lose by the return of his old rival and Maitland and Moray's stance is confirmation that the Hamiltons were of far less importance to their scheme of things since Mary's return than they had been in 1560.¹⁹ In

1564 that importance had never been lower. According to Knox, Maitland confessed that in promoting Lennox's return he was incurring 'the deadly haiterent of all the Hamiltons within Scotland, and have done unto them no less displeasure than that I had cut their throats.'²⁰ Nevertheless, Mary's reconciliation of Lennox and Châtelherault in October 1564 must have been useful in staving off some of the Hamiltons' immediate wrath.²¹

They were probably not so indifferent to Morton's fears over the loss of the earldom of Angus. Yet once again, their belief that the restitution would not cause civil dissension appeared to be vindicated by the surrender of the Countess of Lennox's claim to the earldom in November 1564.²² Similarly, the expectation, strong in the air of September 1564, of Moray's appointment as lieutenant general of the realm, was further proof that there was to be no surprise shift in the direction of Mary's policy or in her court circle.²³ Viewed in this light, their decision to support Lennox, while still ultimately mistaken becomes a good deal more credible. It was hardly surprising that Maitland could provide a vintage performance in the parliament of September 1564, when, acting once more in the place of the Chancellor, he introduced the Lennox restitution to the estates. Maitland praised the gracious, gentle and felicitous rule of Mary, whereby 'ye enjoy this present peax with all foryne nationes and quyetnes amangis your selffis in sik sort that I may think justlie it may be affirmid Scotland in na manis age that presentlie levis wes in greater tranquillitie'.²⁴

It was this confidence in their continued management of the direction of Mary's policy that probably made them so dismissive of the religious fears voiced by Kirkcaldy and Knox.²⁵ Moray had long since ceased to be on speaking terms with Knox whilst Maitland's estrangement from the first minister of Edinburgh can be traced back even further.²⁶ While it is difficult in 1564 to detect signs of the more, overtly Catholic policy that was to emerge in the following year after the Darnley wedding, is it just coincidence that the two men's subsequent opposition to that policy coincided with their own fall from power? Their reaction to Randolph's fears that Lennox's return would adversely affect the chances of Mary marrying Leicester and increase those of Darnley seems equally calculated. This is particularly so, if the

argument that it is difficult to imagine Mary, Moray and Maitland in agreement that she should marry Darnley is recalled. Their blithe insistence to Randolph that they were merely following Elizabeth's advice in restoring Lennox, which they well knew was no longer her desire, is indicative of their contentment at Randolph's alarm. It is entirely plausible that at this stage they were using the prospect of a Darnley match as a bargaining tool to induce some long overdue progress and detailed terms from Elizabeth in the Leicester negotiations. Maitland and Moray, happy in the knowledge that they were still the major guiding influences over Mary, were not at all dissatisfied with this timely reminder to the English that Leicester's hat was not the only one in Mary's ring. Anything that would stir the English into action was welcome, for in 1564 an English match for Mary was Maitland's chief preference and most likely Moray's only one.²⁷

Maitland's Continued Favour With Mary

Taken as a whole, Maitland's conduct over the Lennox restitution strengthens the view that the years 1563 to 1565 were the golden years of his Secretariat under Mary. The picture is very much of him as her faithful servant, at the centre not only of her government but of her court too. He was virtually ever-present in the privy council, a constant companion on her progresses across the realm and constantly tied up with the increasingly heavy demands of his post.²⁸ An interesting insight into his influence at this time but not related directly to his post as Secretary was the lately deceased, earl of Menteith's choice of Maitland as the ward of his children. Menteith, who feared the encroachment of Colin Campbell of Glenorchy on his lands, could not have chosen more wisely. Maitland, chiefly through the friendship he had with Glenorchy's wife, was in an excellent position to ensure Menteith's wishes were respected.²⁹ Maitland's pre-eminence in the various spheres of the court was particularly evident during these years. The dedication by the Italian Protestant and humanist, Pietro Bizzari of his *Pro L. Virginio contra Ap. Claudium*, to Maitland, after his visit to Mary in 1564 is one example of this and adds weight to the belief that Maitland was familiar with Italian literature. It also exposes the inaccuracy of the statement expressed in the most recent

study of Maitland that he 'did not have very cordial relations with the Italians in Mary's court'.³⁰ Maitland's romantic pursuit of Mary Fleming, traceable from 1564 provides further evidence of his strong presence at the court and adds an extra lively dimension to his character.³¹

Similarly, Randolph's record of the fortnight of spectacular pre-Lenten feasting in 1564, 'with joy and mirth, marvellous sights and shows, singular devices nothing left undone to fill our bellies feed our eyes or content our minds' was a tribute to the splendour of Mary's court and to Maitland's own prestige. Randolph depicted a travelling court, with 'every nobleman his day abowte' hosting a banquet but noted the particular magnificence of Maitland's feast: 'Lethington's excelling all but the Queen's'.³² It was Randolph who also gave the most tangible indication of Maitland's established place in Mary's court, government and affection by drawing attention to his financial prosperity since Mary's return. He believed Maitland 'had augmented his living by the Queen's preferment almost 3,000 marks sterling in Lothian only'.³³ The lion's share of this must have come from Haddington Abbey.

Given Maitland's pre-eminence at court, it is hardly surprising that during 1563 to 1565 he was on such bad terms with John Knox. Judging by the latter's frequent denunciations of the court, he was not as appreciative as Maitland of its renaissance ambience.³⁴ The Knox-Maitland relationship was, as ever, a reliable touch-stone for the more important state of the Mary-Maitland relationship. It was a measure of Maitland's credit with Mary at this time that he featured so prominently in her clashes with the reformer. This was clearly seen in the privy council in December 1563, when Maitland was Mary's mainstay in the attempt to dismiss Knox and in successive confrontations in the General Assemblies of 1563 and June 1564.³⁵ The striking realignment of Knox and Maitland which can be traced from November 1565 to their participation in the attempted coup of March 1566, corresponds directly to Maitland's loss of credit with Mary.³⁶

The Leicester Marriage Proposal

If Elizabeth's handling of the Lennox restitution was symptomatic of the incompetence and indecision that characterised so much of her Scottish policy, a similar verdict needs to be returned on her handling

of the Leicester marriage proposal. Of all the puzzles that contribute so much to the enigmatic reign of Mary Stewart, the Leicester affair is amongst the hardest to crack. It has suffered diverse treatment at the hands of historians ranging from its memorable dismissal as 'worthy of a lending library romance' to a far more serious appraisal in recent times.³⁷ While there are undoubtedly elements of the proposal that would not be out of place in romantic fiction, the temptation to dismiss this controversial proposal out of hand should be resisted. For it was the Leicester match - or rather the prospect of the succession through that avenue - which, for almost two years was responsible for the continuation of the amity.

In many respects the Leicester proposal serves as a microcosm of the amity. The stultifyingly, torpid pace at which the negotiations were conducted was symptomatic of the slow tempo that had characterised the progress of any proposal designed to address Mary's claim to the succession.³⁸ Even if it is discounted that it was first mentioned to Maitland in June 1563 and the official announcement of Leicester by Randolph to Mary in March 1564 is taken as its commencement, it was still another year before the benefits Mary might expect from the match, in terms of her claim to the succession, were laid down.³⁹ While Randolph could talk with some justification of the need to proceed cautiously, 'in great matters good consultation ought to be had', to Maitland, Moray and most importantly to Mary herself, the same tactic smacked of deliberate time-wasting, indicative of the English reluctance to deal genuinely in Mary's favour.⁴⁰ Maitland put it neatly:

If tyme be alwayes dryven without further effect then hath followed upon any message hath past betuix them these thre yeares I am off opinion he shall in the end think him selff most happy who hath least meddled in the mater.⁴¹

In June 1564, he was convinced that action was long overdue: 'Gentle letters, good wordes and pleasant messages be good meanes to begyn friendship amongst princes but I tak them to be slender bandes to hald it long fast'.⁴²

The proposal also shared the irresolute vagueness necessarily inherent in Cecil's avowed determination to keep Mary's affairs 'hanging in an uncertainty'.⁴³ The prospect of the succession was kept deliberately visible on the horizon to keep Mary out of the mischief of

a foreign match but always far enough away to ensure it remained elusively beyond her grasp. The Leicester proposal was, however, uncertainty on a grand scale - even by Elizabeth's standards. Amongst the English government there seems to have been a divergence of opinion, corresponding to that amongst historians in the present day, as to how genuine the offer was and what was to be gained from it. While the split between Elizabeth's two principal advisers, Leicester and Cecil, has been over-exaggerated, it must be acknowledged that they were seriously at odds over this issue. The accuracy of Sir James Melville's claim, that Leicester regarded the project as a plot devised by 'Mester Cicill his secret ennemy', is, like much else in his unreliable Memoirs, questionable but that Leicester was a most reluctant suitor is one of the few incontrovertible facts of this entire episode.⁴⁴ There was instant doubt as to whether Elizabeth was sincere in offering Mary her own favourite who was still mentioned as a likely candidate for her own hand in marriage.⁴⁵

Further confusion is added by the split between Elizabeth's Scottish policy formulated in London and the recommendations of her resident ambassador in Edinburgh, Thomas Randolph. The lot of Randolph - perhaps the most convinced supporter of the Leicester marriage - was not an easy one. This episode shows that he had only a very limited role in the formulation of English foreign policy. It could be argued that his consistent opposition to the Lennox restitution was responsible for Elizabeth's own change of heart in the matter but such an interpretation loses weight when the subsequent dispatch of Darnley into Scotland is recalled. This was directly against Randolph's advice. On hearing of the decision he admitted to Cecil that he was at an utter loss, 'howe to frame or fashion thys', confessing 'I knowne not yet what to thynke or howe to behave myself'.⁴⁶

Mary's own attitude to the offer - which was at best diffident - adds both to the complexity of the proposal and the element of farce inherent in it. In her handling of the Leicester offer, Mary revealed that she was at least as adept as Elizabeth in playing the courtship game. There were definite shades of Elizabethan prevarication in her judicious reaction of March 1564. Randolph's report that 'She hard it with patience but deferreth resolution', says a great deal about Mary's

prudent handling of the entire affair.⁴⁷ Wisely, she did not reject the suit, nor demean herself by appearing over-eager for a man far below her royal status. Rather, she sought a water-tight guarantee of her reward for compliance with Elizabeth's wishes before committing herself to a decision. It was the prospect of this reward that explains why, despite the difficulties, delay, unwillingness and uncertainty surrounding the proposal, Maitland, as the opening quotation of this chapter implies, was so desperately enthusiastic for a successful outcome to the affair. The Leicester proposal had the potential to secure the amity between the two nations. Mary was led to believe that by marrying Elizabeth's nominee, her rights to the English succession would be recognised. It was in pursuit of ~~of~~ this bargain that Maitland and Moray devoted their energies until Elizabeth's fateful announcement of March 1565.⁴⁸

The prospect of obtaining the recognition of her claim to the English succession provides the key to Mary's and Maitland's interest in the Leicester proposal but it would be misleading to view their attitude to the offer solely in such terms. A detailed analysis of the proposal from Maitland's perspective illustrates the shortcomings of such a view. Maitland provides fulsome material for the full range of theories on the Leicester match, from the 'lending library romance' school of thought, through to the various conspiracy theories in the light of Darnley's release at a time when negotiations for Leicester were at their height. It was noted earlier that Maitland laughed off Elizabeth's original suggestion of Dudley.⁴⁹ Even if that allegation is rejected, there is more than enough evidence in Maitland's own correspondence to suggest that he was fully aware of the sheer ludicrousness of the notion of Elizabeth's horse-groom becoming Mary's bridegroom.⁵⁰ However, that Maitland was keenly aware of so many of the problems surrounding the match but actively sought to overcome them is perhaps an argument for taking the proposal seriously rather than lightly. As far as Maitland was concerned, Leicester was as feasible as any other suitor Elizabeth would care to name, if it resulted in the recognition of Mary's claim to the succession. This was why he was happy to be such an enthusiastic supporter, admitting 'that he wished it with two of his fingers yea his whole hande'.⁵¹ Moray,

shared this view, well aware that if they could make the succession the *quid pro quo* of Mary's compliance, their own futures as well as that of the amity were secure forever.

It was to prove a most difficult and ultimately hopeless task. The Berwick conference of November 1564 was to reveal how remote a satisfactory conclusion to the proposal was and how wide the gulf between Maitland, Moray and Randolph had become. Even at the height of Randolph's regard for Mary, his support of her claim to the succession was never more than tacit. He was undoubtedly sincere in promoting the Leicester marriage but refused to accept the insistence by Maitland and Moray of the impossibility of persuading Mary to accept the offer without the guarantee of the succession.⁵² As a result, relations between the ambassador and Mary's chief ministers became very strained at this time.

Maitland's own conduct does provide strong evidence for rejecting the notion of the Scots as the innocent victims of English intrigue in this episode. The image of Mary and Maitland meekly awaiting Elizabeth's pleasure in the matter does not square with the evidence. Much of it suggests that they were still leading the English a merry dance of their own. The policy - so evident in his mission of 1563 - of casting around for alternatives to the English alliance seems to have continued. This is clear from Maitland's letter to Archbishop Beaton of November 1564, written shortly before the Berwick conference took place.⁵³ It is a powerful reminder that although negotiations for a Spanish marriage had lapsed, they were not over. Maitland instructed Beaton, 'to enter of yourself in frank communication with the Kyng of Spaynes ambassador in that court touching the said Kyng's sonne', admitting, that if he failed to revive the project he was at a loss, 'for we haiff no other thing in hand gif that fail quilk we may ryn another course'. His comment, 'I fynd her mynd only applyit to Spaine', together with his belief that 'it were tyme her majestie resolved ane way or other', adds to the atmosphere of intrigue from a Scottish perspective. This view is further endorsed by Maitland's reference to keeping both the earl of Bedford, who 'lies at Berwick', and the recent French envoy, Jean Baptista, in the dark as to the 'knowledge of our estate'.⁵⁴ Maitland was not as honest in the pursuit of the Leicester

match as he professed.

A letter from Throckmorton to Maitland dated 18 January 1565 further illustrates the complexity of the Leicester proposal and of Maitland's attitude to the match.⁵⁵ This letter suggests that he was a party to much of the inner English intriguing in the matter. Throckmorton is regarded as a guider of Leicester at this time and the two certainly had a similar attitude to Mary. Both were firmly Protestant but far more sympathetic to Mary's claim than Cecil.⁵⁶ In this letter, Throckmorton, however, appears to refer to the Leicester marriage as a farce: 'Let this suffice you howsoever the lord of Leicester's name is used in this farce he is not guilty'. Yet at the same time he says how well Mary's cause was progressing.⁵⁷ This suggests that, to Throckmorton and Leicester, Mary's claim to the succession was not inextricably linked to her marriage with Leicester. Was Maitland part of a Leicester conspiracy, to support Mary's claim but not the Leicester match, with Darnley as Leicester's proxy? It is quite possible that he was. Maitland undoubtedly knew Leicester was an unwilling suitor for Mary and it is interesting to recall that in 1562 the Spanish ambassador felt Maitland and Leicester were campaigning together to have Darnley married to Mary and Leicester to Elizabeth.⁵⁸ The evidence, however, for depicting Maitland as party to a Leicester conspiracy is, like so much else in this episode, inconclusive.

Maitland's Attitude To The Leicester Marriage Proposal

It is possible, though, to discern two chief characteristics of Maitland's conduct throughout the Leicester proposal. One is his own adherence to Mary's service; the other is his preference for the English alliance. Randolph was struck by his determined support of Mary's interests during the negotiations, 'whatsoever she best liketh that he most alloweth'⁵⁹ and he seems to have accurately deduced Maitland's tactics. Just prior to the Berwick conference, Randolph wrote to Elizabeth stating:

I doubt not but his will is to press us to the furthest that we are able to say and I think not but his desire will be to rather to know what will be the uttermost of your majesties will towards his sovereign than that we shall know assuredly what shall be her mind or wherunto she will incline⁶⁰

Randolph confessed his nervous trepidation at having to deal with

Maitland, fearing his 'wisdom to conceive and his wit to convey whatsoever his mind is bent unto to bring to pass'.⁶¹ He delivered what was to become a customary appraisal of Maitland's abilities:

To meet with such a match your majesty knoweth what wit had been fit. How far he exceedeth the compass of one or two heads that is to guide a queen and govern a whole realm alone your majesty may well think how unfit I am for my part and how far he is able to go beyond me. I would that it were not as I know it to be.⁶²

Although this evidence suggests that Maitland was primarily serving Mary's interests, which involved continuous efforts to find an alternative to the English alliance, it is difficult to resist the view that an English match was Maitland's chief preference. The Leicester proposal occasioned Maitland's most impassioned and reasoned unionism. In September 1564 he explained to Cecil, 'I know how necessary England is for Scotland and even so Scotland for England. I preferre in my opinion the quene of Englandes sure amity to the frendship of any foreyn prince'.⁶³ There was, however, a very significant rider attached to his insistence that:

I trust my maistress will follow as moche of her frendly advise in her marriage and other wayghty affaires as off any frend she hath in the worlde besydes and so wold I advise her to do alwayes provided (which I have many tymes touched in my lettres) that respect be had to honour and surety.⁶⁴

As Maitland insisted, this was not a new departure but the continuance of the policy he had adopted ever since the return of Mary. His 'honour and surety' clause hits at the heart of the dilemma the Leicester marriage proposal or indeed any attempt to provide a husband for Mary from Elizabeth caused him. Maitland developed this further when he insisted:

I must see eyther some shewe off contentacion and lyking in herselff or els an evident and assured grandeur to herself and commodity to her and her countrey to ensew infallibly by the mache before I enter into naming off any special person to her majesty for otherwise I myght perhaps soone speke that I shold not shortly amend and spill more in one half hour than I were able to repayre in all my lyfe.⁶⁵

He was not prepared to jeopardise his own career by pursuing a demeaning English marriage for Mary yet his anxiety to avoid an unnecessary rupturing of the amity was also clear. He was determined that the opportunity to secure the amity should not be wasted. It was this concern that was behind his repeated attempts to widen the field

of Elizabeth's approved nominees to give Mary a greater degree of choice.

It were curteously and frendly done if the quenes majesty your maistres wold have myne for her plesur to forbear the maching with one two or thre greate howses whear moste apparent grandeur is to let her see evidently that she shold be no loser by the bargayne and to remit the choyse off those few persons that remayne behind fit for her majesty to her owne option.⁶⁶

This request was particularly pertinent given Maitland's belief, which he arguably maintained up until April 1565, that Mary had not yet decided whom to marry. There was certainly no lack of unionist fervour in his exhortation to Cecil of 1 February 1565, urging him not to pass up the opportunity afforded to them as Secretaries of the two realms, 'to be named as medlars and chefe doars in so godly and honourable a werk as is the union off these two nations'. Maitland assured Cecil, 'if the mater now in hand . . . be brought to pas', posterity would ensure their reward. Their reputations would exceed 'any whosoever thay were did most vailyeantly serve Kyng Edward the first in his conquest or Kyng Robert the Bruce in the recovery of his countrey'.⁶⁷

The Berwick Conference

The Berwick conference of November 1564, between Randolph and Bedford as Elizabeth's representatives and Maitland and Moray as Mary's, revealed the lack of progress that had been made. Maitland put it bluntly, 'it is now two years since this advice was demanded, a year since my Lord Robert was offered and named to us' and he angrily challenged the English to declare, 'what was there more spoken than was a year since'.⁶⁸ The challenge was rhetorical, the answer obvious. Far from making progress, the conference revealed the fundamental impasse between the Scots' demand for the parliamentary declaration of Mary's claim and the English refusal to offer more than the vague assurance that, with marriage to Leicester, 'great good would ensew to both the realms'.⁶⁹

It has been suggested that the stalemate of Berwick should really have brought the negotiations to an end.⁷⁰ For a while it appeared that it had. Its immediate effect was to spark off an explosive clash between Cecil, Maitland and Moray with both sides angrily attacking what they saw as the other's intransigence. The heated exchange of

letters in December 1564 showed the two sides locked in complete disagreement.⁷¹ Maitland and Moray reminded Cecil that unlike him, they did not have the comfort of their sovereign's sanction for their negotiations. They were anxiously aware of their perilous position, 'In princes affairs it will not be allowed when they call ministers to account to say we ment well' and insisted that 'before we enter in it we must forse the issue lest in the end we should repent to have uttered our selffs without doing good to the cause'.⁷² What they needed was frank, open and honest dealing and they ridiculed Cecil's claim that he had given them just that:

Now say yow, yow have spoken very playnly and yet in that same playn speache ther be many obscure wordis and dark sentences and pardoun us that we may say so in a manner so many wordis as ther be so many ambiguities do result thereof!⁷³

It was, as ever, the succession that was the stumbling block. While refuting Cecil's claim that they had demanded an annual subsidy for Mary from Elizabeth, they did not deny that parliamentary recognition of Mary's claim to the succession was the guarantee they sought.⁷⁴ Their attempts to convince Cecil that such a declaration was not the great difficulty that he and Elizabeth perceived it to be were doomed to failure. Arguments that Elizabeth would be gaining far more from such a declaration were no more likely to succeed now than they had been in 1561. The argument that 'the declaration of a tytyle to the second place is neyther kingdome nor crowne. Ye! skantlie *in potentia propinqua* to a kingdome',⁷⁵ had never really washed with Elizabeth and neither did Maitland's conviction that such a declaration was nothing more substantial than 'a toy' to 'conciliate these two queens and countries by perpetul amity'.⁷⁶

The Arrival Of Darnley

This bitter Yuletide correspondence appeared to signal the final 'no-stop' phase of the amity. Yet a now missing letter of Cecil's to Maitland seems to have had a miraculous, restorative effect and in January 1565, for the final time, the amity entered a 'yes-go' phase. This renewed optimism is evident in Maitland's letter to Cecil of 1 February, already extensively quoted from, which represents the peak of Maitland's confidence of a successful conclusion to the negotiations.⁷⁷

This renewed optimism was to be particularly short-lived. Within two weeks Darnley had arrived in Scotland and Maitland's next letter to Cecil, dated 28 February 1565, could not have been in sharper contrast to that of four weeks earlier.⁷⁸ Gone were the great hopes and aspirations for perpetual amity and union. Instead, Maitland deliberately forbore from discussing such matters, 'not knowing how to touch it and avoid offence' and restricted himself to recommending that the recently ill Cecil revitalised his love life. Love, according to Maitland, who was in the midst of his romance with Mary Fleming, was the 'moste singular remedy for all diseases in all persones'. While it is not hard to imagine Maitland and Mary Fleming 'set upon a mery pyn' it is almost impossible to imagine the dour Cecil and his puritan wife Mildred, engaging in such frivolity.⁷⁹

This remarkable letter of Maitland's was a measure of his reaction to the unexpected arrival of Darnley in Scotland when he and Moray were finally expecting Elizabeth's resolution in the Leicester match. They were both taken aback by this development but Maitland appears to have been bemused rather than panic-stricken. His light-hearted advice to Cecil reflects an air of indifference rather than alarm. There were, in any case, grounds for suspecting that Elizabeth, in sanctioning Darnley's return, was not unfavourably disposed to the possibility of a Darnley-Mary marriage. While Maitland may have felt, as Randolph did, that his arrival killed off the Leicester match there is little evidence to suggest he feared the amity would necessarily perish with it.⁸⁰

Maitland was actually suspected of having long favoured a Darnley marriage and of being quite pleased at his arrival. He certainly had established friendly relations with both Lennox and Darnley but the claim that Darnley spent one of his first nights in Scotland at Lethington should be rejected.⁸¹ He had been handsomely rewarded by both Lennox and Darnley with jewels and seems to have been particularly friendly with Lennox, lending him 500 crowns.⁸² This friendliness was imputed by some at the time to 'the love he bears to Mary Fleming' although the importance of this connection has been over-emphasised.⁸³

Moray was a good deal more alarmed than Maitland and for the first time voiced his fears of the possibility of a Darnley match.⁸⁴ However, that at this stage matters were not perceived to be desperate is

further shown by the intervention of Maitland and Moray in the Elizabethan Vestiarian controversy. In a letter to Cecil and Leicester dated 13 March, they voiced concern at the dangerous example Elizabeth's insistence on the uniform dress of her clergymen was providing: 'quhat sall the multitude and mony ma think of it bot as in outward habit thay wear the papists apparell sa in thair hartes thay approve of it'. Maitland, with characteristic moderation, toned down his concern in a postscript which requested that a degree of liberty of conscience was respected in the matter: 'I wisshe men were not to far preassed in matters which do anyways prick them in conscience'.⁸⁵ Within days, Randolph's disclosure of the contents of Elizabeth's letter dated 5 March ensured that such concerns paled into insignificance.⁸⁶

The Impact Of Elizabeth's Letter Of 5 March

It was this letter, which could not be faulted for its 'plain and open speache', and not Darnley's arrival that killed off any remote chance of a Leicester match. In so doing it sounded the death-knell for the amity. It can also be held responsible for provoking the Darnley match and the accompanying restructuring of the court around Lennox and his son. It was after the arrival of this letter and Elizabeth's frank disclosure that, as regards Mary's claim to the English succession, 'nothing shall be doone until hir majesty (Elizabeth) shall be married or shall notify hir determination never to marry'⁸⁷ that panic began to spread throughout the Scottish court and beyond. Moray was 'the sorrowfullest man that can be' but Maitland was 'more angry than sad'. He was certainly not surprised. His immediate reaction to the letter was to tell Randolph: 'that he found it nothing strange for that he knoweth so moche of the Queen's majesty nature that she will never resolve in that point nor never believed that it was possible to persuade her to it'.⁸⁸ Randolph rightly felt Maitland's claim smacked of 'choler rather than judgement'.⁸⁹ Maitland had spent much of the last four years attempting to persuade Elizabeth. Maitland's reaction, however, does emphasise that at this point, he was still very much Mary's man. His anger was directed squarely at Elizabeth's intransigence. His continued high favour with Mary was reflected in his immediate commission to deliver Mary's response to Elizabeth. It was, however, to be almost three weeks

before Maitland left Scotland and as late as 18 April that he finally arrived in London.⁹⁰

Maitland's Final Mission

This was Maitland's last mission to England during Mary's personal reign. Like those before, it proved to be an accurate barometer for the condition of the amity. This particular mission, however, was to be a completely different experience for Maitland. The traditional pattern of Mary anxiously awaiting her Secretary's return before actively pursuing her policy was shattered. Maitland realized with acute discomfort that his diplomatic efforts in London had been outstripped by domestic developments back home. He had been supplanted as Mary's chief counsel. As historians have declared for generations, Mary had become 'her own minister'.⁹¹ This, in turn, rapidly changed Maitland from her most trusted confidant and servant into a highly dangerous but subtle opponent. The next part of this chapter will chart the course of that transformation.

As ever, it is not possible to be certain as to Maitland's precise instructions for his mission. This, as much as any other embassy Maitland undertook was shrouded in mystery and intrigue. The fullest account of his instructions are to be found in the addenda volume of the privy council records.⁹² Issued at Stirling, these gave him permission to obtain Elizabeth's approval of her marriage to Darnley and to attempt once more to gain parliamentary recognition of Mary's claim to the succession. Mary's generous commission to Maitland that 'whatever he may do agree upon and transact with the Queen of England she will consider as valid as if it had been done agreed upon and transacted by herself' was a measure of her high regard for him.⁹³ Randolph believed that if Maitland was able to persuade Elizabeth 'to fynde yt goode and to yelde as much with hym as ever she was with any other I muste needes commend hys wyt forever'.⁹⁴ Yet this was only a part of his mission. There was much talk of Maitland being sent into France and John Beaton had already been dispatched to London to gain a safe conduct for the mission.⁹⁵ This added further fuel to Randolph's rumours of 'some great conference between the cardinals of Lorraine and Grandveile'⁹⁶ who greatly desired Maitland's presence. Despite Maitland's admission to Randolph that talk of his journey into France was 'only a

colour of a voyage into England', it is remarkable that at this late stage he was still not being completely honest with Randolph.⁹⁷ For what he did not tell Randolph was that, as well as negotiating for Darnley, he was to attempt to clarify the possibility of a marriage with Don Carlos for Mary. That was the real reason behind John Beaton's journey. Guzman de Silva confirmed this, reporting to Philip II that talk of the safe conduct 'was only a pretext for the coming of Lethington here to confer with me'.⁹⁸

It would appear that part of the reason for Maitland's delayed departure from Scotland was Mary's desire to await news from Beaton of the outcome of his task. The wily De Silva, masking his astonishment that negotiations for Don Carlos were still alive, gave Beaton the necessary encouragement to ensure Maitland travelled.⁹⁹ De Silva's letter to Philip dated 26 April showed how remote a marriage between Don Carlos and Mary was, given Philip's continued preference for the Archduke Charles.¹⁰⁰ De Silva was not only uninterested in a Mary-Don Carlos match but also highly enthusiastic for a Darnley marriage. Like many others in April 1565, he was convinced it had already taken place. He informed Maitland that Philip regarded Darnley as at least as satisfactory a marriage for Mary as the Archduke Charles and he firmly but politely made it clear that Mary's marriage to Don Carlos was no longer on the agenda.¹⁰¹ Randolph seems to have been blissfully unaware of Maitland's attempt to re-open the Spanish match, which Maitland also appears to have successfully kept from English officials in London.¹⁰² Given Maitland's intermittent pursuit of the Spanish match from 1563, it is remarkable that he later gained credit from Throckmorton along with Moray for the prevention of a Spanish marriage for Mary.¹⁰³ It is difficult to see how any Scot could claim responsibility for this, least of all Maitland. However, attention must now be concentrated on events shortly before Maitland's departure to London.

Matters were moving quickly. The rise of Lennox and Darnley ever higher into Mary's credit caused Randolph to write in both nervous and bitter terms to Throckmorton on 31 March. Randolph clearly suspected Throckmorton had deliberately promoted Darnley's return so as to provoke his marriage with Mary. He warned his colleague, 'for yf you

were as innocent as our lord Jesus Chryste yf anye evil comme to me, I wyll mayke you partaker'. In what could only be a clear reference to Darnley he told him that 'thys darlinge of yours is so danded among us I fear we shall show our folly'.¹⁰⁴ Within three days Randolph's fears were heightened by Moray's withdrawal from the court to his priory of St Andrews which Randolph intriguingly attributed to a 'false alarm' from Maitland.¹⁰⁵ It may have been a false alarm but rumours were rife that Moray had fallen into Mary's 'dysfavour' because of his opposition to her celebration of a Catholic Easter and his refusal to grace 'those ungodlye ceremonies used these two weeks to come' with his presence.¹⁰⁶ He had not been so precise in 1563, when Randolph had reported that Mary 'at thys tyme of easter hath left not one jote of her solemnities unobserved'.¹⁰⁷ Moray's waning political influence clearly had a direct effect on the level of his religious tolerance. By 15 April, Randolph informed Cecil that Mary's regard for Darnley was already so high 'that she can be content to forsake all other offers',¹⁰⁸ and three days later he reported that 'the godly cry out that they are undone'.¹⁰⁹

By this time Maitland had arrived in London. Although Randolph had admitted, 'if at any time I have seen him (Maitland) perplexed it has been since these matters came to light',¹¹⁰ he was not without suspicion of Maitland's loyalty. His comment to Leicester of 20 March, 'when you have Lethington in your hands use him as you like for I have already told him the Tower is too good a place for him', shows this.¹¹¹ Maitland's conduct, particularly his negotiations with De Silva, justified Randolph's concern. For the evidence suggests that on this last diplomatic foray he was still obediently serving Mary. He sought - albeit to no avail - to revive her prospects of marriage with Don Carlos, to win Elizabeth's approval for the Darnley match, to procure an alternative for Mary more acceptable to Elizabeth by enticing Norfolk into the fray and actively pursued the anti-Marian succession propaganda, gaining possession of John Hales' infamous publication.¹¹² In the same manner he had done for years he reported his progress to Mary. He sent her a six-page letter in cipher via Thomas Fowler, a servant of Lennox.¹¹³ From Mary's disappointed reaction it appears that he informed her fully of his unsuccessful English and Spanish

negotiations.¹¹⁴ Maitland probably expected that, in time-honoured fashion, Mary's next move would depend upon his return.

Elizabeth's opposition to the Darnley match was such that she now disowned her frank avowal of 5 March and returned to the policy of offering Mary vague assurances of her rights to the English succession. Elizabeth was insistent that it was only by marriage to Leicester 'that we can be content to yeld herunto and with non els'.¹¹⁵ Throckmorton was sent ahead of Maitland, equipped with a determination from the English privy council to ensure Mary was left in no doubt of Elizabeth's opposition to a Darnley match.¹¹⁶ Maitland, anxious to prevent Mary acting decisively in his absence, wrote to Moray urging him 'to perswade the Quene to mayke no haste in the matter but keape yt in the staye yt was when he lefte yt'.¹¹⁷ He probably had no idea how low Moray's credit had sank since his departure to London.

Domestic Developments

Maitland had missed much in his absence. The Catholic Easter at Stirling, the religious riot in Edinburgh on Palm Sunday and Bothwell's Day of Law had all accentuated the fundamental realignment of political allegiances that was taking place in Scotland.¹¹⁸ Moray, Argyll, Châtelherault and Glencairn were consistently on the wrong side of Mary in all these events which tended to highlight the rise of the Catholic trio of Lennox, Darnley and Athol in Mary's favour. Although absent, Randolph held Maitland responsible for the continued allegiance of Morton and Ruthven to Mary; the latter being now regarded as 'Lethington's chief friend'.¹¹⁹ In a sense, Maitland's letter to Mary, which arrived on 30 April appears to have acted unwittingly as a last straw.¹²⁰ It achieved everything Maitland hoped it would not. It stiffened Mary's defiant resolve to choose her own husband and establish a new power base to support a new, vibrant policy in exchange for the stagnant and moribund amity of the past four years.

Ignorant of the developments that had happened in his absence it was a concerned but not desperate Maitland who began his journey back to Scotland on 7 May. By the time he had reached Newark on 8 May, a watershed had been reached in his relationship with Mary. He was met by John Beaton, whom Mary had sent with new instructions for

Maitland.¹²¹ From these Maitland was able to deduce the full extent of developments in his short absence from the court. Not only did he discover how little credit Moray now had with Mary but also how much his own position had been radically altered. He was completely stunned by Beaton's message, which, judging by his hysterical reaction was highly unexpected. Mary had ordered Maitland to return to London and announce her decision to marry Darnley, regardless of Elizabeth's objections and to pass into France to announce the news there. She also sent him a bill of credit authorising the receivers of her dowry to disburse whatever sums he needed and 'to spare no cost'¹²². Maitland's shock at Mary's determination after being, 'so longe trayned with fayre speche and in the ende begyled of her expectacion she dyd mynd with the advyce of the estates of her owne realme to use hyr owne choyse in marryage'¹²³ supports the view, that on his arrival in London on 18 April, Mary's marital destiny was not yet certain.

Maitland deliberately disobeyed his new orders and made haste back to Scotland. It was not the behaviour Mary expected and it was not what Randolph expected either. The English ambassador professed himself pleasantly surprised by Maitland's response, which in every sense was the antithesis of his entire conduct, correspondence and policy since August 1561.¹²⁴

Maitland's Volte-Face

Mary went to great lengths to assure Maitland that it was the amity - or more precisely, the attempts to achieve the recognition of her claim to the succession by respecting Elizabeth's wishes in her marriage - that had been ditched and not him. Throckmorton, whom Maitland had caught up with at Alnwick, testified to this, informing Cecil that together with his instructions Mary had sent Maitland, 'the mooste favorable and gentle lettre with her owne hande that ever quene did wryte to her servaunte not leavyng behynde large promysse enowe of hys benefyte and greatness in tyme to come'.¹²⁵ Despite the sweeteners, Maitland remained defiant. Throckmorton reported that he had never seen Maitland 'in so great perplexity, nor passion and would have little believed that for any matter he could have been so moved',¹²⁶ and even he was taken aback by Maitland's wish that he (Throckmorton) 'had

commissyon to threatten thys quene (Mary) with denuncyacion of warre ... as the last refuge to stave her from this unadvysed acte'.¹²⁷ This desire for English military intervention hardly squared with Maitland's earlier advice to Mary regarding her marriage, that she should 'seme to requyre the Q of England's counsall and advyse in it albeit ye will not stand to hir resolution' and that her 'owne contentment' was the prime consideration in the matter.¹²⁸ Mary was now carrying out that advice to the letter but Maitland had performed a complete volte-face. Why, when he had unquestionable proof of his suspicions of England's insincere dealing with Mary and he had the opportunity to fulfil his threats of following an alternative policy, did Maitland buckle?

Many commentators have taken this to be proof that Maitland was driven all along by an over-riding unionist desire which transcended any notion of personal loyalty to Mary.¹²⁹ Such a view is not out of step with Maitland's oft-repeated professions of commitment to that goal but does not in itself fully convince. The inadequacy of the notion of Maitland as, above all else, a unionist anglophile has been one of the central arguments of this thesis. The flaws of such a view are clearly exposed when his role in the civil war years are examined and it is hoped that the chapters relating to Maitland's career from 1561 to 1565 have a similar effect. It is certainly tenable to argue that Maitland's earlier diplomatic activities on Mary's behalf may have been nothing more than a feint, to exert pressure on Elizabeth. Maitland knew that if the threat of an alternative amity was to be effective, it had to appear that he was completely prepared to countenance a foreign marriage for Mary. To borrow the parlance of the nuclear deterrence debate, he had to make Elizabeth believe that he really was ready to go into his bunker and press the button.¹³⁰ Yet is it possible to be certain that Maitland was bluffing?

The possibility that prior to May 1565 he had an open mind on Mary's marriage and that a fundamental change in his attitude occurred must be acknowledged. A dogmatic, unionist view of Maitland presumes that he was confident that his efforts to find an overseas husband for Mary would fail or that he could ensure their failure. This was not, even at the height of his credit with Mary within Maitland's power. The Spanish match, for example, failed because of Phillip's unwillingness and

Maitland's letter to Archbishop Beaton of November 1564 shows that he was aware of this basic fact.¹³¹ Even if the possibility that Maitland genuinely pursued a Spanish match is discounted, it is hard to reject the view that, prior to May 1565, he had an open mind on the prospect of a Darnley marriage. It is perhaps futile to speculate as to what Maitland's counsel to Mary would have been if, *en route*, he had not been so disturbed by her shift in policy but it is possible that he may have recommended a Darnley match. He had earlier been suspected of favouring Darnley and his recent interviews with De Silva showed that he was aware of the diminishing number of candidates available to Mary.¹³² However, his support of a Darnley marriage while he continued to hold the reins of power, was a completely different scenario from the one with which he had just been presented.

Undoubtedly his concern for the amity had a good deal to do with his subsequent change of heart but another important factor must be taken into consideration. This is his outrage at his loss of personal control over the direction of Mary's policy. It had been alleged by an English report of February 1565 that part of the reason for Maitland and Moray's original support of Lennox, who 'in their hearts haith mislyked Levenax other tymes' was an attempt to 'continew there rule in that realme'.¹³³ If this had been their tactic, it badly misfired. By May 1565, it was obvious that Lennox and Darnley presented the clearest threat to their power, the amity, and, according to Moray, the religion as well.¹³⁴ Despite Mary's assurances, it was clear to Maitland that his position had been radically altered. He had previously lamented that he was Mary's chief and sole adviser but he lamented even more his exclusion from the decision-making process at the time of her most significant policy change since her arrival in Scotland.¹³⁵ Mary had presented Maitland with a *fait accompli* and the Darnley marriage, without himself firmly in control of the direction of her policy, was nothing short of a personal catastrophe for Maitland.

One further observation of Maitland's reaction to Mary's orders is that, not only was it out of step with his earlier policy but also with his subsequent conduct. The logical progression of Maitland's desire to see Elizabeth declare war on Mary, would be to find him amongst the ranks of the Chaseabout rebels. Yet Maitland was one of the many

significant absentees from the rebellion, a feature that was indicative of Moray's failure to recreate the political coalition of 1560.¹³⁶ Maitland's outburst to Throckmorton was made very much in the heat of the moment. His actual conduct in the face of Mary's determination to marry Darnley was altogether more characteristic. His rage subsided and, acting on his strong self-preservatory instincts, in the way he had deceived Mary of Guise and later Moray himself, he accommodated himself to Mary's new regime, operating as an enemy from within. It was typically devious, insidious, behaviour from the Secretary: playing his usual, cautious game and waiting for the opportune moment to strike.

Maitland finally reached Edinburgh on 13 May and received further orders from Mary to prevent Throckmorton reaching the court in Stirling. Once more he disobeyed. He left Throckmorton to his own devices and made haste to Stirling.¹³⁷ No record of his reception from Mary survives but it must have been an intriguing encounter. Maitland had a lot of explaining to do and he seems to have done it well enough. Despite his patent disobedience, he was not dismissed. It is hardly to be thought that he expressed the same enthusiasm for an English declaration of war to Mary as he had done to Throckmorton. There is little evidence, however, to suggest that Mary was completely convinced by his performance. Her decision to allow him to continue as Secretary was at least as calculated as his decision not to join Moray's rebellion. Just as it is difficult to resist Randolph's belief that Maitland, in remaining within the Marian regime together with Morton and Ruthven, did 'only espy their tymes and mayke fayr wether untyll yt come to the pinche',¹³⁸ it is equally hard to resist the view that Mary was also exploiting Maitland. During the Chaseabout affair, Mary was able to disguise her true feelings at least as well as Maitland was able to control his undoubted sympathy for the rebels.

Mary's awareness of the political restraints she was working under is clear from William Chisholm's mission to the Pope in the summer of June 1565.¹³⁹ Chisholm informed Pius IV of Mary's desire to be rid of her heretic, Secretary Maitland but her inability to do so because of the political backlash such a move would provoke.¹⁴⁰ Maitland's continuance as Secretary in 1565 was a marriage of convenience from the point of view of both parties. Both were aware of the dangers of

outright opposition to each other. Maitland feared ruin, Mary a more serious rebellion. For that reason, while Maitland's credit was greatly reduced, he was not removed from office. Instead of a provocative dismissal, Mary contented herself with a subtle but effective pruning of Maitland's powers. In an alert pre-emptive strike, which reduced his capacity to use the Secretariat to weaken her position, foreign policy, for the past four years his jealously guarded preserve was taken out of his hands.¹⁴¹ It was a prudent move which was hardly surprising in view of his recent performance in England. Mary, however, took advantage of Maitland's services when it suited her to do so. He remained a consistent attender of her privy council and it was apparently on his advice that the proposed convention in Perth on 10 June was delayed to clash with the forthcoming General Assembly. Also significant was Mary's use of his credit with both Argyll and Athol in July 1565 to prevent an immediate outbreak of hostilities in Perthshire.¹⁴²

Lennox Ascendancy And Chaseabout

By the time Maitland had reached Stirling in May, he no doubt realised how futile protests were. The court was in readiness for the elevation of Darnley to the earldom of Ross, his oath of allegiance to Mary and also for the creation of fourteen knights, selected by Lennox.¹⁴³ The new Lennox ascendancy and the restructuring of the court away from Moray was being confirmed in magnificent fashion. The significance of the ceremonials would not have been lost on anyone, least of all Moray. Just three years earlier his own pre-eminence had been confirmed by a similar multiple decoration of honour on himself and many of his clients.¹⁴⁴ It was yet another illustration of Mary's consistent use of chivalric honour and ceremony to provide visual reminders of the splendour and power of her royal court and *per se* of herself. Eighteen months later at the same Stirling venue, the renaissance baptismal triumph of her son was to offer the culmination of Mary's grasp of a court as, 'a magical combination of power, visual splendour, outward deference and a personal household staffed by members of the elite'.¹⁴⁵ In 1566 it is possible to argue that Mary had grasped the significance of that final ingredient, for both the Chaseabout rebellion and the

conspiracy of March 1566 fed on allegations that the Queen gave too much favour to men of 'base degrie' rather than to the elite of 'auld blood'.¹⁴⁶

Moray realised that the wheel had turned full circle against him and was not slow in reacting. He had already refused to sign the marriage bond of Mary and Darnley, insisting on guarantees for the establishment of the religion and, after attending the privy council for the last time on 19 May, he again left the court without giving his consent.¹⁴⁷ From that date, Randolph tells us 'Murray lyethe where he lyste' and that Maitland, too, had 'leave and leisure to court his mistress'.¹⁴⁸ The two erstwhile colleagues were to make very different use of their new found leisure time.

Precise information as to the progress of events from the Stirling celebrations up to the marriage in late July and the putting of Moray and his associates to the horn in August is scarce. Many of the usual sources of information dry up at this time. The records of the privy council do not yield up a great deal, Randolph's reports become so partisan as to be somewhat unreliable whilst Knox's History must necessarily be treated with its usual caution. Yet for all the confusion surrounding delayed conventions and of rumours - of Mary's marriage having been completed already, of conspiracies of Moray to kidnap Mary and Darnley, of Mary to take the life of Moray, of the restoration of Catholicism and of foreign intervention once more in Scottish affairs - the basic outline is clear.¹⁴⁹

By May 1565, Mary's determination to marry Darnley had provoked a distinct party of opposition centred upon Moray, Châtelherault and Argyll. In March 1565, in anticipation of the Darnley marriage those earls had pledged their mutual support for each other.¹⁵⁰ In their attempts to widen the basis of their support, however, they were consistently thwarted by Mary. They did gain the support of Boyd, the seemingly inseparable partner of Argyll, together with the staunchly Protestant Glencairn and Ochiltree and a smattering of Protestant lairds, but it is difficult to regard the Chaseabout raid as anything other than a stunning Marian success.¹⁵¹ It does not sit very comfortably with the image of the inept Queen but, in the context of post-Bayonne Europe, Mary's transformation of a major coup against

herself and her government into an impressive victory, tends not to emphasise the perilous position of herself but of her English cousin.

Even Moray's most ardent admirers have admitted that on this occasion, he was completely 'out generaled' by his half-sister.¹⁵² Mary swiftly re-gained control of the godly ground that Moray attempted to pitch his protest on, trumping his cry of 'religion in danger' through a series of effective measures. In August 1565 she re-issued her original proclamation of 1561, in July and September she gave fresh assurances that none of her subjects, Catholic or Protestant, would be 'molestit in the quiet using of thair religioun and conscience' and even declared herself ready to entertain scriptural debate and Protestant preaching.¹⁵³ Mary also made the most of her greatest natural advantage: her automatic possession of the moral high ground by virtue of her position as the divinely, sanctioned monarch. Just as Mary of Guise had done in 1559-60, Mary vigorously attacked the rebels' intentions, 'for quhat uther is this but to dissolve the haill policie and in a manner to invert the verie ordor of nature to mak the prince obeyand and the subjects to command'.¹⁵⁴ She warned her subjects 'not to be deceaved undir pretence of religion to follow them' whose real intention was to 'be kingis thameselfis'.¹⁵⁵ In August, after two notable Edinburgh Protestants, John Johnstone and James Nicholson had been caught red-handed passing on English money from Randolph to Moray, Mary was even able to pose as the patriot Queen, legitimately defending Scotland's sovereignty against rebels in the pay of the auld enemy.¹⁵⁶

Mary's timely distribution of honours during 1565 showed that she was astutely aware that the distinction between skilful management of royal patronage and bribery was essentially semantic. Her detachment of potentially key supporters from Moray through this avenue was particularly impressive. Moray's long-time ally, Lindsay of the Byres, 'shamfullye left him', swayed by Mary's continued support for him against Rothes over the sher ifdom of Fife and was appointed one of Mary's lieutenants.¹⁵⁷ Even more significant was the conclusion of the deal between Lennox and Morton concerning the former's claims to the earldom of Angus, which ensured that Moray was bereft of the overwhelming support of the Douglasses; only three Douglas lairds rallied

to Moray's cause in 1565.¹⁵⁸ The creation of Lennox's fourteen knights, the peerages for Home, Fleming and Erskine and the rehabilitation of Huntly and Bothwell, cut across sectarian lines and emphasised the non-partisan support Mary had enjoyed since her return to Scotland.¹⁵⁹ This played a crucial part in her successful reduction of the volume of the Protestant cries made by the rebels.

Moray and his supporters, denied the political and spiritual high ground of the debate and depicted as greedy, unpatriotic rebels, were left with only a bitter resentment of Lennox to hold their rebellion together. Whilst the force of this motive should not be lightly underestimated - it must have been of some weight to reconcile Moray and Châtelherault after their steady drift apart since 1561 - it was insufficient in the face of Mary's superior arguments and force to threaten success. That Moray's rebellion was reduced to an essentially anti-Lennox demonstration is reflected in the fact that the Hamiltons provided the backbone of the rebellion. This other half of Scotland's 'old firm' provided some 300 men including thirty-seven Hamilton lairds, a contribution far beyond that of any other single interest group.¹⁶⁰

Indicative of the unhappy progress of the Chaseabout rebellion was its failure, reminiscent of the Congregation's failure in 1559 to arouse the support of the capital in their cause. By no stretch of the imagination could Moray's rebellion be said to have much to do with the privileges of the burgh. As a result, the burgh, never a hot-bed of radicalism, had little to do with it.¹⁶¹ The contrast between Edinburgh's determined and successful resistance of the attempt to depose Knox as their minister in August 1565 and the fiasco of the attempted muster on Salisbury Crag, together with the cold reception the lords received when they entered Edinburgh in late August 1565, illustrates the narrow, conservative concerns of the majority of the burgh's inhabitants.¹⁶² The attempt to depose Knox was a direct threat to the established and bitterly cherished burgh privileges, Mary's marriage to Darnley was not. Ironically, the attempt by a minority of Protestant activists in the capital to ape the Chaseabout coup actually helped Mary exert more control over the burgh. On 25 August, the local Catholic laird, Simon Preston of Craigmillar was 'electit and chosin provest of Edinburgh' in place of the Protestant Archibald Douglas,

paving the way for even more decisive intervention in the next round of burgh elections.¹⁶³

By the time Moray had been put to the horn in August, it was obvious that his only chance of success was the speedy arrival of substantial English aid. It was not forthcoming. In another parallel to 1560, what little aid that was sent was intercepted. Elizabeth, hemmed in by international considerations, concluded a miserable chapter in her handling of Scottish affairs by abandoning the rebels to their fate. She did provide a safe haven for the exiled lords but this does not disguise what has been termed the 'paralysis' of English policy in Scotland.¹⁶⁴ Bedford said it all when he admitted that, out of fear of France and Spain, England was 'neither permitted to fight nor conciliate'.¹⁶⁵ Elizabeth's handling of the Chaseabout crisis can be regarded as the consummation of her inability to manage Anglo-Scottish relations successfully. Far more important than the blow to her prestige north of the border which her impolicy caused, was the loss of her most tactically significant supporter, Argyll. This was possibly the greatest political own goal Elizabeth ever scored. The gravity of Argyll's defection back into Mary's service was to be a two-fold blow for Elizabeth, reducing not only her party in Scotland but also greatly strengthening the rebellious Shane O'Neill's hand in Ulster.¹⁶⁶

What of Maitland's conduct during these months? Playing his characteristically devious game, he survived the Chaseabout affair along with the vast majority of Mary's administration, with his position intact. Wishart of Pitarrow, Moray's loyal henchman, was the only casualty; he was replaced as Comptroller by Murray of Tullibardine, one of Lennox's fourteen knights. From May to October 1565, Maitland was a consistent member of the very mobile privy council which exerted 'chasing' pressure on the rebel lords. The only breach in Maitland's record of attendance in the council was in its two meetings in Glasgow on 5 and 6 September. Previous to that, he had attended in Perth in June; had followed the council back to Edinburgh in July; attended its meetings there throughout August; caught up with it in September after it had moved from Glasgow to St Andrews; followed it back through Dundee to Edinburgh before the journey westward to Dumfries and the victorious return to Edinburgh in October.¹⁶⁷ A good insight into

Maitland's attitude after his realization that the Darnley marriage was inevitable is given by a letter of his to Cecil dated 12 June. In this, he espoused the most practical opinion on the future of Anglo-Scottish relations by simply arguing, 'howsoever the princes matters fall out the best off every thing must be made'.¹⁶⁸ Maitland was keen to limit the damage caused by the forthcoming marriage, a view that was shared by the Howard faction on the English privy council which favoured a rapprochement with Mary.¹⁶⁹ Maitland's own efforts to this end, however, were not helped by the reduction of his influence over the management of foreign affairs.

Yet if Maitland's influence had been reduced he was not totally bereft of means of intriguing with England. In this respect Mary's choice of John Hay, her Master of Requests and Commendator of Balmerino, as her ambassador to London was perhaps not as safe as she thought. Hay, a close friend of Moray's, was described by Randolph in June 1565 as 'godly, learned and wise' and as no more a favourer of the Darnley marriage than Maitland.¹⁷⁰ Hay did not join Moray's rebellion but like so many who supported Mary in 1565 later opposed her, earning the stinging denunciation as, 'a dowbill flattering traytour ... quhome we promoveit fra ane puir simple clerk to ane abot and pryor'.¹⁷¹ The selection of Archibald Graham, the unfortunate Edinburgh merchant engaged in prolonged litigation in England as Hay's guide through what would be unfamiliar country for him, ensured Maitland was kept well informed of the developing English reaction to Scottish affairs. Graham, a client of Maitland's and fellow conspirator in March 1566, probably helped confirm Maitland's decision to remain within Mary's administration 'espying his moment'.¹⁷² The distinct lack of English assistance was surely the most decisive factor influencing Maitland's allegiance. As late as 4 October, just before the final dispersal of the rebels in Dumfries, Randolph reported that Maitland was 'ready to respond to the first call of English intervention'.¹⁷³ There is little reason to doubt Randolph's claim, but it would have needed to have been a more reliable call than that of August, when John Johnstone - another of Maitland's clients, whom he had appointed as clerk to the privy council - was caught handling the little English aid that was forthcoming. Maitland prudently distanced himself from such

activities.¹⁷⁴

October 1565 - March 1566

Mary's rout of her rebels into exile in October 1565 represented a complete victory for her. Yet within five months, she was faced with a more serious threat to her government. Many who had refused Moray's call of 1565 actively opposed Mary in March 1566. The obvious question is why? Is this a case of Mary winning the war but losing the peace? The answer to this is not at all straightforward as a cursory glance at the composition of the March conspiracy reveals. This remarkable alliance of 'chasers' and 'chased' of the recent rebellion should caution against accepting any simplistic explanations of this coup. For this reason, the temptation to explain away the events of March 1566 solely in terms of a Protestant backlash against Mary's stridently Catholic policy should be resisted. After all, Darnley and Lennox had been amongst those to respond positively to Mary's invitation to the Mass at Candlemas in 1566.¹⁷⁵ It is also striking that the two main apologies for the conspiracy - Ruthven's well known account and Maitland's lesser-known justification - make no mention of religious grievances.¹⁷⁶ It would, however, be wrong to argue that Protestant dissatisfaction had nothing to do with the March coup. Actions in this case may well have spoken louder than words. Rather, it is more in keeping with the evidence to argue that Protestant discontent was a potent element in the classic fusion of political, personal and religious grievances that rendered the conspiracy of March 1566 the most serious threat Mary had faced in her personal reign.

What had Mary done to provoke such a dangerous coalescence? In October, having crushed Moray's rebellion, it seemed that she was about to lead Scotland into a new era of political stability but all was not what it seemed. Pyrrhic Mary's victory was not, but ironic it undoubtedly was. By the time that she had defeated the rebellion, provoked to a large extent by her choice of husband, she herself had come to doubt the wisdom of that marriage. She was to discover to her cost that the collapse of her marriage was to prove just as politically explosive as its inception. The political fall-out produced by the steady disintegration of the royal marriage, exacerbated what was already a volatile and fluid political climate in Scotland. For in 1565-

6, the Scottish political agenda, in common with that of post-Bayonne Europe was been redrawn. The new Franco-Spanish entente which had been agreed at Bayonne in July 1565 and their expressions of determination not to compromise with heresy, created panic amongst Protestant Europe. It is not surprising that so much has been written of a decisive change in Mary's policy at this period. The time was not only ripe for change; it demanded change. The Chaseabout raid had helped fill the void left by the collapse of the amity. It presented Mary with an immediate threat that had to be met and seemed to offer the clear alternative of a new prosperity under Mary and Henry.¹⁷⁷ That challenge had been met but the decline of the royal marriage impeded the prospects for a new, independent monarchy as a permanent alternative to the amity. Indeed, perhaps the most clear aspect of Mary's post-Chaseabout policy was the decisive change in her attitude towards her in-laws.

The Lennox family fortunes had suffered a head-long plunge since the heady wedding triumph of July. In October, Randolph gave the first of many reports of a marriage, which was firmly on the rocks long before February 1566, when he reported that Mary 'hateth him and his whole kin'.¹⁷⁸ Her preference of Bothwell over her father-in-law as lieutenant-general of the Marches in October 1565 provoked the first of many 'jarres' between the royal couple.¹⁷⁹ It was symptomatic of the thwarted ambitions of Lennox in the months ahead, during which the biggest grievance was Mary's refusal to grant Darnley the Crown Matrimonial. Long before his investiture in the order of St Michel, when Mary publicly denied her husband the use of the royal arms, her determination to 'gyve him only his due' was evident.¹⁸⁰ The simultaneous softening of Mary's anger against their old dynastic rivals, the Hamiltons, put the seal on the declining fortunes of Lennox. In December 1565, even though Châtelherault's pardon was accompanied with a five-year exile, that his brother the Archbishop, 'was well made of', ensured the Hamilton family firm was once more a force in Scottish politics.¹⁸¹

If the opposition of Lennox and Darnley to Mary in March 1566 is not difficult to appreciate, it is not, like so much else in this conspiracy clear-cut. As mentioned earlier, both had been conspicuous in their support of Mary's Catholic *risorgimento* and Darnley's Catholic

fervour was reportedly greater than Mary's.¹⁸² However, from the number of folk ready, as in 1565, to jump on a Lennox bandwagon and manipulate it for their own ends, it is clear that the Lennox family were not the only casualties of Mary's post-Chaseabout policy. In fact the composition of the March conspiracy helps to identify the winners and losers of Mary's policy, which in turn, helps to depict more precisely Mary's strategy at this time.

The involvement of some twenty-one disaffected Edinburgh burgesses, amongst whose ranks were the core of the Edinburgh Protestant party, of whom only one was currently on the town council, certainly bears testament to this. It illustrates the progress Mary had made in establishing 'a moderate and non-partisan administration' in Edinburgh.¹⁸³ If the losers in local politics were much in evidence, so too were the losers in central government. They, though, cannot be distinguished by any loss of office. For one of the most striking aspects of the conspiracy is the number of Mary's office-bearers whose active participation can be proved. Her Chancellor, Secretary, Justice-Clerk, and Clerk-Register were all clearly involved with the plot, whilst her Comptroller and Advocate found it necessary to take a discreet leave of absence in the aftermath of the coup.¹⁸⁴ This stunning vote of no-confidence from a sizeable section of her own administration draws attention to the major issue of Mary's methods of government at this time. It suggests there may well have been much truth in Ruthven's accusation that, while the structures of government remained intact, power was exercised elsewhere, 'by yourself (Mary) and your privy persons'.¹⁸⁵ Ruthven's claim adds an extra dimension to the dramatic shift within Mary's council which took place during 1565-6 and suggests that what happened in the council chamber was perhaps not as significant as what happened outside it.

Mary's Methods Of Government

Dr Goodayre has pointed to a certain retreat into the household by Mary during this period but has also argued that the council remained important: hence the trouble Mary took to appoint new councillors such as Tullibardine, a Lennox knight, Craigmillar the Provost of Edinburgh, Balfour of Pittendriech, John Lesley the newly appointed Bishop of Ross,

Alexander Gordon the reforming Bishop of Galloway, and Maxwell of Terregles.¹⁸⁶ These selections stirred a good deal of criticism from both the Chaseabout rebels and the conspirators of March 1566, with howls of self-righteous indignation from an offended 'ancient' nobility.¹⁸⁷ It is interesting to note that in the aftermath of the March conspiracy, Mary continued to develop this pattern of appointments, as the subsequent prominence of David Chalmers of Ormond shows.¹⁸⁸ This suggests that this issue was not the real bone of contention. That Tullibardine, one of Mary's recent appointees, appears to have acquiesced in the March conspiracy further strengthens this view.

How outlandish were these appointments? There was certainly no lack of precedent for ecclesiastical dignitaries holding office but her selection of lairds was more controversial. Men of their standing were usually appointed to specific offices, rather than accepted as councillors and, in this sense, Tullibardine's appointment as Comptroller and Balfour's later appointment as Clerk-Register were hardly departures from the norm. As for the appointments of Craigmillar and Maxwell, there is some mileage in viewing this as further evidence of the continuing rise of the middling sort in Scottish society. At any rate, it is difficult to see how Maitland, closely related by marriage to Craigmillar and his close friend, could raise hackles at the preferment of men of his own social class.¹⁸⁹ In contrast to the conspiracy's clear failure to arrest Mary's appointment of privy councillors from the ranks of the middling sort, it is difficult to detect the effect it had on Mary's government through the household. It is easier to agree with Dr Goodayre's assertion that there were 'no more low born favourites' than it is with his claim that there was 'no more government through the household'.¹⁹⁰ Mary's appointment of David Riccio's brother, Joseph, as his successor, ten days after the murder smacks of a most defiant snoot been cocked at the conspirators, suggesting that government through the household was not entirely extinguished by the events of 9 March.¹⁹¹ Exactitude in this matter is, however, hindered by a lack of evidence and the difficulty in assessing the extent to which Mary had relied on her household prior to 1565-6 denies the issue a proper perspective.

The major difference at this time may have been, as Ruthven argued, in the change of her 'privy persons'. Maitland was no longer one of this number. The most familiarly cited, offending names are those of Riccio, Danelourt, De Busso, the master of Mary's household, and Lennox's servant, Thomas Fowler, although Balfour, another frequently mentioned name, was one of the council.¹⁹² Yet it is difficult to believe that power was suddenly and exclusively vested in these household officials. The strongest argument against accepting such a view is that, in March 1566, Mary was able to hold on to the vast majority of her support amongst the nobility. The support of Bothwell, Huntly, Fleming, Athol, Mar, Crawford, Cassillis, Marischal and Caithness weakens the view that the traditional role of nobility was at stake and shows that her 'privy persons' did not exclude the nobility.¹⁹³ Huntly and Bothwell in particular seem to have presented a powerful alliance at this time, especially after the marriage of Bothwell to Huntly's sister in February 1566.¹⁹⁴

The Conspirator's Motives

This strong support for Mary amongst her nobility exposes the conspirators' conservative appeals for a defence of the commonweal and the quiet of the realm as a desperate attempt to obtain the credibility and respectability which their real (less honourable) motives did not allow.¹⁹⁵ This desire to create a dignified front of respectability also helps to explain why the murder of David Riccio provided the focus for the coup. Historians have moved towards a far more rational appraisal of Riccio, away from the notion of him as Mary's paramour and a secret papal agent towards the political scapegoat he undoubtedly was. Riccio's exact influence over Mary, is, despite the reports of 'Davie ruling all', difficult to quantify.¹⁹⁶ There is no hard evidence to support the claim that Riccio was to replace Morton as Chancellor at the forthcoming parliament but in any case the question of his pre-eminence is something of a red herring.¹⁹⁷ The real issue at stake in this *coup d'état* was not the extent of Riccio's influence but the conspirators own declining influence. In what was a largely conservative society, Riccio provided the desperate and disaffected men with the perfect symbol of their exclusion from the corridors of power. He could be identified -

and subsequently was by both Maitland and Ruthven - as a legitimate target, an enemy of the commonweal.¹⁹⁸

Maitland's own apology for the events of 9 March, a circular addressed to the nobility, written after the conspiracy had failed and he, like so many others was on the run, made much of this.¹⁹⁹ It is a classic example of radical action being justified by appeals to traditional, conservative values. Maitland emphasised, in the very best traditions of so many sixteenth-century rebellions, that they were loyal subjects, meaning 'no wise to subtract their obedience from their majesties' but merely defending the comonweal, by restoring the management of affairs out of the hands of strangers into the traditional custody of the nobility.²⁰⁰ It was the same tactic he had used on the Congregation's behalf in 1560 and represents a heavily censored version of the conspirators motives.²⁰¹ Sir James Melville was a good deal nearer to the mark when he described them as being concerned not with religion, nor with the defence of the realm, the exiled lords or with Lennox's ambitions but their own 'particulaires'.²⁰²

Maitland was definitely not a beneficiary of Mary's post-Chaseabout policy. His credit with Mary appears to have sunk to an all-time low and, together with Morton and Ruthven he was a ringleader of the plot on Scottish soil. Morton's influence, despite his continuance as Chancellor was clearly on the wane. The strategically significant stronghold of Tantallon was delivered up to Athol in October 1565, much to his chagrin and that of Maitland, Bellenden, and Ruthven, all fellow-conspirators.²⁰³ This heightened his fears of further losses with Mary's twenty-fifth birthday looming and the possibility of a widescale reversion of lands granted during her minority. Ruthven was a slightly different case. He had been an early supporter of Lennox and an uncle of his was one of Lennox's knights, but further hopes of preferment seem to have sunk with Lennox's own decline. Ruthven's decision of 1565 not to support Moray's rebellion was not a difficult one, having been at odds with him ever since the early days of 1560. However, the reward Ruthven wanted for his loyalty, the office of Treasurer, was not forthcoming and he, along with his close friend Maitland seems to have been smouldering with discontent from October 1565.²⁰⁴

In November 1565, Randolph reported that Maitland and Morton could not rid themselves of the suspicion held by Mary 'that their counsels and devises have byne with the other howe conninglye soever they have convoided matters and withdrawne themselves to leave others in the bryars'.²⁰⁵ This suspicion perhaps explains the failure of their repeated attempts in the privy council to persuade Mary to extend the benevolence she was displaying towards the Hamiltons and Argyll towards Moray and Grange.²⁰⁶ That Elizabeth also failed in her attempts to intercede on Moray's behalf is an indication that whatever the precise direction of Mary's policy at this time, it was not returning to a pro-English orientation. It was not until January 1566 that Randolph could report a softening of Mary's anger towards Moray but even this optimism was, in the following month, to prove badly misplaced.²⁰⁷

Maitland's Reconciliation With Knox

November 1565 also witnessed a remarkable indication of how low Maitland's credit with Mary had sunk. In a striking role reversal, Maitland, for the first time, defended Knox in a confrontation with Mary. This is further evidence for regarding the Maitland-Knox relationship as a touch-stone for his relationship with Mary.²⁰⁸ The period from October 1565 to March 1566 marks the most precise Protestantism of Maitland's career. As well as defending Knox, he also, along with Morton attended the nervous General Assembly of December 1565. Letters of despair were sent out to their European brethren from this assembly, proclaiming, 'that now to the great grief of many iniquitie commandis tyrannie ringis and the cause of the ryghteous is utterlie suppressed among us'.²⁰⁹ Protests were also made at the pollution of the realm with the Mass, whilst Mary's claim that 'she will mainteane and defend ... the religion in which she hath bene nourished' was denounced.²¹⁰ In February 1566, the earl of Bedford reported Maitland's exemplary Protestantism to Cecil. Maitland was, according to Bedford, 'but in meane credit nowe and never did better in religion than at this present nor never so constant'.²¹¹

Mary's Religious Policy

If the political climate in Scotland was fluid, the same was no less

true of the religious one. In the continuing absence of official recognition of the reformed Church and ratification of the acts of the Reformation parliament it is difficult to see how it could be otherwise. Mary's proclamation of 1561, whilst recognising the status quo, always left the door open for a change of policy.²¹² It was perhaps inevitable that this time of political flux would also be one of religious change and so it proved to be. It is not so much a question of whether Mary's religious policy underwent a change at this time. It seems beyond reasonable doubt that from 1565, by a variety of means, Mary was actively encouraging a Catholic revival. It is more a question of that seemingly eternal Catholic dilemma, 'how far would she go?' Maitland's precise Protestantism, the panic of the General Assembly, the ravings of Randolph, the involvement of the Edinburgh ministry and Protestant radicals in the March conspiracy and the bonds made to protect the religion between Darnley and the exiled lords all reflected the widespread Protestant fears that Mary intended to go very far indeed.²¹³

There was much evidence on which these fears were grounded. In 1565 Mary had appointed three Catholic bishops, John Lesley, William Chisholm and Henry Sinclair, whose capacity to exercise the full powers of their episcopate was rumoured to be on the agenda of the forthcoming parliament.²¹⁴ In seeming accordance with the decrees of Trent, Mary had also appointed four public preachers, much to the alarm of Knox.²¹⁵ Mary's court had always provided a Catholic focus but these measures were going beyond that and were illustrative of a determination to take the Mass out of her chapel. So too was the quest for a papal subsidy, which Chisholm was actively engaged in from June 1565.²¹⁶ However, it is not clear how public Chisholm's mission was. Evidence exists to suggest that Mary was able to disguise the true intent of his mission. For example, although Maitland drew up Chisholm's request for a safe conduct through England, the latter's subsequent relation to Pius IV of Mary's desire to be rid of her Secretary, suggests Maitland was not entirely conversant with Chisholm's mission.²¹⁷ This is a further reminder that Maitland was not controlling foreign policy at this time.

Mary's more pronounced Catholicism became clearly evident in February 1566, with her attempt to persuade her nobility to attend

Candlemas and the suggestion of restoring the Mass at St Giles'.²¹⁸ A list of the nobles who accepted and refused the invitation to the Mass is, however, of little help in identifying her opponents of the following month. Huntly, Bothwell, Fleming, Livingston and Lindsay all refused but only the last-named opposed her in March. Conversely, Lennox and Darnley were at the heart of the conspiracy despite accompanying Mary to the Mass along with Athol, Seton, Eglinton and Caithness who all remained loyal to Mary.²¹⁹ This has been depicted as the beginning of a 'Catholic interlude' for Mary, possibly inspired by the recent arrival of messengers from Archbishop Beaton, Cardinal Lorraine and the Pope and coinciding with the hard line they advised her to take against her rebels.²²⁰ What is clear is that this diplomatic activity increased the fears of the legislation to be carried out at the forthcoming parliament.

These fears were heightened by the constant stream of rumour and speculation which, throughout the Reformation period, arguably played as important a role as hard fact in the formulation of policy and opinion. This was particularly so in this post-Trent, post-Bayonne period when rumours of a Catholic League ready to wipe out Protestantism were rife.²²¹ It was already strongly rumoured that Mary would extend the liberty of conscience she enjoyed to her Catholic subjects. Randolph reckoned as much in Christmas 1565 and it was a sentiment which was in keeping with Mary's consistent attachment throughout her reign to a degree of liberty of conscience. In 1567 it was actually reported that Mary would grant freedom of conscience to all except the Calvinists²²² but by far the best evidence for Mary's religious toleration is her 'death-bed' speech at Jedburgh in October 1566. On this dramatic occasion Mary begged her nobility to continue her policy of toleration: 'I have pressed none of you that professes religion by your conscience ... I pray you, brother earl of Moray trouble none'.²²³ Professor Lee, however, has argued that 'only extreme mariolaters have ever contended that Mary favoured toleration as a long run solution to the religious question', maintaining that toleration was an alien concept in sixteenth-century thought.²²⁴ The accuracy of this view must be challenged.

Toleration was perhaps unsuccessful in the sixteenth-century and it

was definitely unpopular with religious hardliners, Catholic and Protestant alike. Mary was acutely aware of this and had to work hard to justify her policy to the Papacy and to many of her own subjects.²²⁵ Yet, with France and Poland providing examples of state-sanctioned toleration, was it really such an alien concept?²²⁶ It is impossible to know for certain whether Mary did favour toleration as a final solution to the religious issue but it is in the face of the evidence and not just extreme mariolatry that the notion is so blandly dismissed. It is perhaps well to remember, and certainly of more relevance for the March conspiracy, that it was the threat of Mary's desire 'to have all men live as they list' and not a Catholic restitution that was enough to excite the fears of Knox and Randolph.²²⁷

Fear of the forthcoming parliament also draws attention to the actual timing of the coup. If rumours were rife as to the impending religious legislation, the same was true of the temporal. The summoning of Moray, Glencairn, Argyll, Rothes, Ochiltree, Boyd and Kirkcaldy of Grange to 'compeir in the parliament to heir and sie the dome of forfaltour ordourlie laid aganis them' was not interpreted as conciliatory gesture.²²⁸ It was also strongly rumoured that this parliament would not see the granting of the Crown Matrimonial to Darnley and the bonds made between the exiled lords and Darnley reflected those fears.²²⁹ The volte face of the previous summer could not have been more complete. The prevention of the parliament, the rehabilitation of the rebels, the Crown Matrimonial for Darnley and the protection of the religion was the outcome to be looked for if the conspirators were successful in their attempt to wrest control out of Mary's hands. The murder of Riccio, was the means by which they sought to gain that control.

Relations with England

Some attention ought to be given to the state of Mary's relations with England at this time. That England was also a loser of Mary's post-Chaseabout policy is confirmed by her detailed inside knowledge and encouragement of the intended coup.²³⁰ Randolph eagerly anticipated Mary's humiliation. His reports increase in their rancour at this time and he expressed disbelief that he could ever have thought favourably of Mary.²³¹ The long-awaited Border conference, which had at one point

offered hope of an Anglo-Scottish rapprochement, was symptomatic of the strained relations between the two realms.²³² Instead, it did not attempt any wider conciliatory overtures but was narrowly restricted to Border matters only. The choice of commissioners also reflected the colder climate that characterised relations between the two nations. The hard-liners Bedford and Forster headed the English commission, whilst the Scottish team led by Bothwell rather than Maitland, hardly had an anglophile ring to it.²³³ Mary had been too suspicious of Maitland's enthusiasm to meet the earl of Bedford to entrust the task to him.²³⁴ Randolph's expulsion from the Scottish court in February 1566 consummated the 'paralysis' of English policy in Scotland.²³⁵ For England, it was a time for desperate measures and the March conspiracy provided a welcome opportunity to recapture their influence over Scottish affairs.

Maitland's Motives For His Participation In The Coup

If it was a time of desperation for England, it was no less so for Maitland. It is difficult not to believe that if Maitland had not been so low in credit with Mary then he would have supported her proposals for liberty of conscience. As recently as March 1565, Maitland had expressed the view concerning the Elizabethan Vestiarian controversy:

Although I do not prayse the preciseness off soche as do mak every thing a mater off conscience (off which nombre ther ar to many in both realmes) yet wold I not wisshe that men were far preassed in maters which do anyways prick them in conscience.²³⁶

Political and personal motivations were more at the heart of Maitland's protest. He was anxious to regain power and along with the majority of the conspirators was much more interested in the return of Moray and the other exiled lords than with securing Darnley's ambitions. At this stage, however, any help in the battle to wrest control from Mary's hands was welcome and the Lennox interest was invaluable in this respect. Again, like most of his fellow conspirators, Maitland was not short of particular personal grievances. The rise of his greatest, local rival, Bothwell, was of immense concern to him. Perhaps of all the conspirators bar Darnley he had the greatest interest in the dispatch of Riccio.²³⁷ This was certainly the view of the anonymous author of the History of Jamie the Sext, who argued that Maitland 'being a man of subtile brayne' fed Darnley tales of Riccio's 'carnall copulation with

the queyne' because the Italian had superseded him as the major Secretarial influence over Mary. While such allegations cannot be proven, the notion of Maitland as the chief casualty of Mary's favouritism for Riccio is certainly a credible one.²³⁸

While the extent of Riccio's influence is hard to quantify, it was probably along the same informal but powerful lines that Maitland himself had previously enjoyed. Melville paints a vivid picture of Riccio controlling access to Mary; and the reports of his prominence are not too far removed from the earlier reports that were so rife of Maitland and Moray's influence over Mary 'doing all about her' and earning no small measure of hostile enmity in the process.²³⁹ Maitland's participation in the coup shows that he had given up hope of winning back that favour. Despite the moral rectitude inherent in his justification and its emphasis on not 'subtracting obedience' from Mary, the March conspiracy was precisely about the subjection of Mary to the discipline and obedience of her subjects.²⁴⁰

Up until the night of 9 March Maitland had continued on an uneasy footing in Mary's administration, 'espying his moment' but doing enough to ensure he remained beyond Mary's suspicion. In December 1565, he advised his friend Campbell of Glenorchy to take the opportunity of seeking Mary's pardon, an indication that Mary's anger towards Argyll was softening.²⁴¹ It would be misleading to regard Maitland's appointment in January 1566 as an Ordinary lord of Session in place of the recently deceased Sir Robert Carnegy of Kinnaird as a mark of Mary's favour for him as it is not clear whether Ordinary lordships were in the gift of the Crown.²⁴² Incidentally, Carnegy sheds further light on the question of Mary's methods of government at this time, tending to support the view that the composition of Mary's council was not as outrageous as her opponents tried to portray. Carnegy's attendance at the privy council enjoyed something of a renaissance in the post-Chaseabout period but his record of attendance could be traced back to Châtelherault's regency in the 1540s.²⁴³

Randolph's dismissal from the Scottish court in February 1566 provides the best indication of Maitland's duplicity at this time. It was a poker-faced Maitland, with knowledge aforethought of the 'bait laid for seigneur Davie' who charged Randolph with delivering 3,000

crowns to Moray through the offices of his client John Johnstone. Johnstone was there in the presence of the council and Mary herself to admit the crime.²⁴⁴ Also in February 1566, he interceded with Cecil on Mary's orders, for Thomas Fowler; earlier criticised as one of Mary's household advisers but who had now fallen into English hands.²⁴⁵ That letter to Cecil dated 9 February gives an excellent insight into Maitland's mind at this stage. It was his first for a long time to his opposite English number, written in reply to an encouraging letter he had received from Cecil and intended 'as a gage' to see how things stood between the old allies.²⁴⁶ It is hardly surprising that a sinister interpretation has been put on this letter given Maitland's opinion that the amity could be salvaged if the right course of action was taken. This course was to 'chop at the veray root yow no where it lyeeth and so far as my judgement can reache the soonar all things be packed up the less danger ther is off any inconvenientis'.²⁴⁷ There is little reason to doubt that this points to anything other than the forthcoming *coup d'état*. Two days later Maitland wrote to Cecil in recommendation of Mary's ambassador and his own long-standing colleague, Robert Melville, as 'privy to most off my conceptions'. Perhaps at this stage, as in 1560, this member of the 'loyal Melvilles' was not so true to Mary's interests as his brother Sir James portrayed.²⁴⁸

It is remarkable that Maitland is not generally reckoned to be at the heart of the conspiracy. Ruthven's account does not inculcate him in the crime but their staunch friendship may well have influenced this. He needed Maitland in power, not out of it and had nothing to gain by losing his closest friend at court.²⁴⁹ Maitland is also a conspicuous absentee from the extensive lists denouncing the suspects in the Register of the Privy Council and was far too prudent to sign any of the bonds between the conspirators.²⁵⁰ Even Buchanan's Chameleon admitted that while Maitland was 'chef enemy to Riccio after the King he was not advertsit by the Lords of thair enterprise'.²⁵¹ There is, though, an abundance of evidence that points to Maitland's clear involvement.

Calderwood draws attention to Maitland's crafty behaviour on the night of 9 March, distancing himself from the scene of the crime.²⁵² The conclusion of yet another very timely business deal with Ruthven

over the lands of Marvingstone in Haddington on 8 March 1566 also points to Maitland's active support of the coup.²⁵³ Randolph regarded him as one of the chief conspirators and the clear involvement of a number of Maitland's own clients supports this view.²⁵⁴ Thomas Cowy and Richard Cranston, two of his servants were called before the privy council for the crime.²⁵⁵ Archibald Graham, Maitland's client, was pledged on a surety of £1,000 for his part in the conspiracy, while his brother-in-law Douglas of Whittingham, and his kinsman Menteith of Kerse were also charged by the privy council for the crime.²⁵⁶ Maitland's own six-month political exile following the coup hardly points to his innocence. Although he was not officially dismissed as Secretary, he was heavily forfeited for his crimes. Bothwell, his arch-enemy was the principal beneficiary, regaining control of Haddington Abbey and Maitland was fortunate that Mary's kind regard for the loyalty of his father, allowed several of his forfeited lands to pass into Sir Richard's hands.²⁵⁷

The Consequences Of Mary's Victory

There is little need to go into descriptive detail of the events of the night of 9 March. The consequences of the botched putsch are of far greater significance. It is perhaps hardly surprising, given the number of diverse interest groups inherent in the loosely based alliance, that Mary was able to split it so effectively and witness its' dissolution in time-honoured *saue qui peut* fashion. The conspiracy, however, was not an unqualified disaster. It did succeed in preventing the parliament carrying out its agenda, whatever that may have been. Similarly, the rehabilitation of the exiled lords was also accomplished but hardly in the way they had envisaged. Instead of sealing the success of the rebellion, their return emphasised its failure. Mary stole the conspirators' own thunder by voluntarily pardoning the exiles rather than forfeiting them.²⁵⁸ This up-turn in the fortune of the exiles contrasted sharply with the fate of their fellow conspirators.

For the Lennox interest, the conspiracy was a disaster. Darnley had been further exposed as a political embarrassment, the Crown Matrimonial was further away than ever and Lennox himself, who had been integrally involved in the plot, now felt the wrath of his

daughter-in-law. He did not appear in the privy council again during Mary's personal reign.²⁵⁹ It has already been noted that the extent to which government through the household ceased needs to be questioned. Perhaps though, the reduction in the extent of government through the household can be explained not so much by the fact that Mary had learned a salutary lesson but because she had less need of it. After the coup, Mary was able to cleanse her administration of her internal enemies. Morton was replaced as Chancellor by Huntly, James McGill as Clerk Register by Balfour, whilst Maitland, Bellenden, Tullibardine, Ruthven and Lindsay were amongst those privy councillors forced to take a prolonged leave of absence from the council chamber.²⁶⁰ Although in pardoning the exiles Mary had arguably exchanged one set of fifth columnists for another, she had enough established support of a wide section of her nobility to hold these men in check. She was able to win Argyll completely over to her cause, whilst the influence of Chancellor Huntly and the maverick Bothwell ensured Moray's influence was as yet limited.²⁶¹

For England, the failure of the coup was as unwelcome as its success would have been welcomed. 1566 was to prove to be a most critical year for England. The prospect of a pan-Celtic alliance, manufactured by Elizabeth's bungling of Scottish and Irish relations posed a potent threat to English ambitions. Shane O'Neill's capacity to cause havoc in Ireland was greatly enhanced by the Scottish support he received from Elizabeth's disaffected ex-client, Argyll.²⁶² Mary was not slow to reap where Elizabeth had not sown. The support of Argyll was a vital element which enabled her to enter the final trimester of her pregnancy in a stronger position than ever before. The subsequent birth of her healthy son and heir, Charles James, was to strengthen that position even further.²⁶³

It has been argued that the coup signalled the end of Mary's 'Catholic Interlude'.²⁶⁴ It certainly prevented any pro-Catholic legislation at the March parliament but the extent to which it acted as a brake on Mary's Catholic *risorgimento* must be questioned. The Protestant Lent proclaimed by the Kirk's call for a public fast in February 1566 gave way to a Catholic Easter, with the capital witnessing a popular demonstration of the survival of the old faith.²⁶⁵

9,000 Catholics apparently received communion at Holyrood, although Mary celebrated the solemnities in private in Edinburgh Castle.²⁶⁶ Knox, well used by now to the *saue qui peut* routine, accused his erstwhile conspirators from the safety of the west coast of once more 'shaking hands with the devil' in bowing to Mary's authority.²⁶⁷ His disappointment at the renewed support Protestants gave their Catholic Queen was shared by the Papacy, dismayed by her refusal to 'spill the blood of her subjects' for a Catholic restitution.²⁶⁸ This unusual unity between Knox and the Papacy, allied to the conciliatory domestic overtures so evident in her subsequent baptismal triumph, further suggests that the notion of Mary genuinely promoting toleration as a long term solution should not be completely dismissed.²⁶⁹

For Maitland, Mary's victory of March heralds the most obscure period of his career. Only too well aware of his guilt he was forced, like so many of his colleagues, to watch Mary's rise to greater power from the seclusion of political exile.²⁷⁰ His exact movements are difficult to trace. Randolph expected him to seek asylum in England but he was given permission to travel into Flanders by Mary in April.²⁷¹ However, fearing Bothwell's pirates, he was instead ordered to be warded in Caithness.²⁷² Whether he actually did so is uncertain and he appears to have passed into Argyll.²⁷³ Maitland's friends did not desert him in his hour of need. Athol, his future brother-in-law, provided him with immediate sanctuary in March and accommodated him in Dunkeld and Callendar during the coming weeks and months.²⁷⁴ Livingston also proved his worth as a friend to Maitland at this time.²⁷⁵ It was, however, as a recipient of another good friend's hospitality, Colin Campbell of Glenorchy, in his strong hold of 'the Balloch' that Maitland was to be found in July before his rehabilitation was effected through the strenuous efforts of Moray, Argyll and Athol - against the opposition of Bothwell and the ineffectual Darnley.²⁷⁶ Mary's reconciliation of Maitland and Bothwell at Craigmillar, in September 1566 was confirmation of the conciliatory domestic policy she was now pursuing.²⁷⁷ It was a measure of the revival in Maitland's fortunes that Haddington Abbey was restored to him.²⁷⁸

Maitland was soon once more at the fore of Mary's administration, attempting to cope with the major domestic problem of Darnley and

actively involved in the management of foreign policy and the new attempts to revive Mary's claim to the English throne through diplomatic channels.²⁷⁹ His behaviour during the seeming crisis of Mary's impending death at Jedburgh in the second half of October 1566 is perhaps the best proof of this. Maitland had accompanied Mary to Jedburgh and it was he who informed Cecil 'that for the space off half an hour we wer all desperate off her life.'²⁸⁰ Maitland offered a more detailed diagnosis to Archbishop Beaton, explaining that it was Darnley's intolerable behaviour that was responsible for Mary's illness:

She has done him so great honour... contrary to the advice of her subjects, and he... has recompensed her with such ingratitude... that it is a heartbreak for her to think he should be her husband, and how to be free of him she sees no outgait.²⁸¹

1566 appeared to herald a new golden age for Mary and Scotland. The effervescent fluidity of the political climate was beginning to settle, leaving Mary as the dominant force in British politics. The political embarrassment of her estranged husband's behaviour was more than compensated by the healthy progress of her son and heir. Darnley had seriously jeopardised the very foundation of the new independent Scotland his marriage had appeared to promise but his son, Charles James, provided a far more impressive proof and focus of that new age. He was the powerful symbol of the transformation Mary had wrought in the balance of power in Anglo-Scottish relations in the years between 1563 and 1566. This was dramatically emphasised by the baptismal triumph at Stirling in December 1566. Many courses of action seemed open for the year ahead. It is something of an understatement to say that the course 1567 did take can only with hindsight be seen as one of those. For Maitland, too, the years 1563 to 1566 had been traumatic years of fluctuating fortunes. His star was however once again in the ascendant and in the course of the next six years he provides a characteristically useful focus for the origins and development of the Scottish civil war.

NOTES

- 1 SP 52.10.11. and CSP Scot ii, 117.
- 2 BL Egerton MS 1818, f21, Moray to Dudley, 25 May 1562.
- 3 BL Addit. 32091, f199.
- 4 NLS, 3657, f5.
- 5 *ibid.*, f5.
- 6 See Elizabeth's instructions to Randolph in Keith, History, ii, 205-8 and CSP Scot, ii, 19. See also Maitland's verbal message CSP Spanish, 1558-67, 338-39 which he carried back to Mary after his mission in 1563.
- 7 Adams, 'Darnley', 135, pin-points the courteous treatment of Mary's homeward-bound relatives as the first-fruits of the amity but this agreement on the restitution was surely the most concrete proof.
- 8 *ibid.*, 123-44.
- 9 Elizabeth asked Mary to cancel Lennox's departure in July 1564, Murdin, Burghley Papers, 757; Melville, Memoirs, 107-8. By this point Mary had already given Lennox permission under her great seal to return, see Maitland to Cecil, 13 July, 1564, SP 52.9.39, CSP Scot, ii, 67-9.
- 10 Maitland to Cecil, *ibid.*, SP 52.9.39, Moray to Cecil, same date, SP 52.9.38. See also Maitland to Cecil, SP 52.9.43. 27 July, and SP 52.9.45, September 18.
- 11 *ibid.*, SP 52.9.39.
- 12 *ibid.*, SP 52.9.39.
- 13 *ibid.*, SP 52.9.39.
- 14 *ibid.*, SP 52.9.39.
- 15 *ibid.*, SP 52.9.39.
- 16 Kirkcaldy, Knox and Randolph were all opposed to Lennox's return: CSPF, vii, 123-4; A. Lang, History of Scotland, 4 vols., (Edinburgh, 1900-7), ii, 134, CSP Scot, ii, 60-1.
- 17 Even Dawson and Adams are in agreement on this. Adams, 'Darnley' 142-3, J.Dawson, 'Anglo-Scottish relations in 1565' in IHR, 8 (1986), 6-7.
- 18 Dawson, *ibid.*, 7. For Maitland's earlier favour of Darnley see my last chapter and Adv. MS. 6.1.13 f 15.
- 19 Their support of the Arran match in 1560 was the last instance of their clear favour for the Hamiltons. See the discussion on this in chapter 3.
- 20 Knox, History, ii, 64.
- 21 Philippon, Histoire, ii, 283-5.
- 22 W.Fraser, The Lennox, (Edinburgh, 1874), ii, 262. The formal concession was made in November 1564 and concluded in May 1565.
- 23 It is not clear whether Moray was actually made Lieutenant. Kirkcaldy expected him to be, CSP Scot, ii, 75; the report of Bedford to Cecil, CSPF, vii, 223, suggests that he was.
- 24 Warrender Papers, i, 41-44.
- 25 See note 16.
- 26 Knox, History, ii, 78-9, after the parliament of 1563, 'they spake not together more than a year and a half'. Maitland's relations with the reformer had been in a downward-spiral since 1560, *ibid.*, i, 335.
- 27 See the correspondence alluded to in note 10. It is difficult to

- detect any evidence of Moray's enthusiasm other than with England. Maitland's preference for an English match, is - it is hoped - clear from this chapter.
- 28 The provenance of Maitland's correspondence coincides exactly with the progresses of Mary's court across the realm. See the itineraries in Hay Fleming, Mary and the recent, excellent Furgol's 'Progresses'. Maitland's letters from June to September 1564 in CSP Scot, ii, 65, 69-74 from Lochleven, St. Johnstone, illustrate this, while that of 18 September, 70-74, tells of Maitland's journey with Mary to Aberdeenshire.
 - 29 I am grateful to Dr. Dawson for this reference to the Breadalbane Papers, GD 112/39/1-132 box one.
 - 30 J.Durkan, The library of Mary Stewart, in Lynch (ed) Mary, 77. This was published in Venice in 1565 in Bizzari's Varia Opuscula - again I am grateful to Dr. Durkan for this information. Such a connection does not really square with Blake's statement in Maitland, 219.
 - 31 The earliest reference is Kirkcaldy's jest that he was as fit to be the pope as Fleming was to be Maitland's wife, CSP Scot, ii, 75.
 - 32 ibid., 46-47, SP 52.9.15.
 - 33 SP 52.8.75., CSP Scot, 1563-9, 28, 52-3. and SP 52.9.16. See also Donaldson, 'Cistercian Nunnery of Haddington', 19, for the value of this benefice, £2,500 Scots annually.
 - 34 Knox History, ii, 44-5, 64-5.
 - 35 ibid., ii, 94-104 for the confrontation before the privy council and Calderwood, History, ii, 241-2, 252.
 - 36 Knox, History, ii, 173 for his defence of Knox before the privy council and ibid., ii, 175 for his attendance at the General Assembly of December 1565.
 - 37 Lee, Moray, 121. Adams, 'Darnley' and Dawson, IHR 'Anglo-Scottish' are the best examples of the more serious appraisal of this affair.
 - 38 This had been particularly true of the 'Interview', see my previous two chapters for a discussion of the pace of the amity.
 - 39 CSP Spanish, 1558-67, 313 for the first mention of the offer to Maitland, see CSP Scot, ii, 55-9 for Randolph's opening of the offer to Mary. and NLS 3657, f18 for Randolph's relaying of Elizabeth's precise instructions.
 - 40 Keith, History, ii 254.
 - 41 SP 52.9.15.
 - 42 CSP Scot, ii, 65.
 - 43 Hardwicke, State papers, i, 173.
 - 44 Melville, Memoirs, 126 but Leicester's reluctance was obvious; NLS 3657 f11, and SP 52.9.163.
 - 45 This doubt was never really removed; Keith, History, ii, 244-5.
 - 46 Randolph did his best to persuade Leicester; NLS 3657, f11, Egerton 1818/25, and also the Scots that the offer was genuine, Keith, History, ii, 254. For his amazement at Darnley's arrival, see SP 52.10.33.
 - 47 SP 52.9.23.
 - 48 This is basically the Scottish attitude to the Leicester marriage in a nut-shell which this chapter will seek to explain more fully.
 - 49 CSP Spanish, 1558-67, 313.
 - 50 At the Berwick conference of 1564, Maitland regarded Leicester as 'no fit match', Keith, History ii, 251. The same belief repeatedly recurs in his correspondence at this time, eg CSP Scot, ii, 95-98, 105-11, SP 52.9. 79.

- 51 SP 52.9.15.
- 52 Randolph's attitude towards Mary, like the vast majority who came into contact with her did not remain constant. See his complete retraction of his earlier regard for Mary in NLS 3657 f24, and his belief that if she did gain the English succession it would be, 'as great a plague unto our nation as can come out of Hell.'. The Berwick conference revealed the split between Moray, Maitland and Randolph as regards the succession, Keith, History, ii, 250-56.
- 53 Egerton 1818/18, November 1564.
- 54 *ibid.*, Egerton, 1818/18.
- 55 NLS 3657, f8.
- 56 Dawson, IHR, 'Anglo-Scottish' 5-7, and authorities cited therein, especially, CSP Spanish, 1558-67, 438, 459, 472.
- 57 NLS 3657 f8.
- 58 CSP Spanish, 1558-67, 249-50.
- 59 Keith, History, ii, 249.
- 60 *ibid.*, ii, 249.
- 61 *ibid.*, ii, 249.
- 62 SP 52.9.45.
- 63 *ibid.*, and CSP Scot, ii, 70-74.
- 64 *ibid.*, ii, 73.
- 65 *ibid.*, ii, 73.
- 66 *ibid.*, ii, 73-74.
- 67 SP 52.10.11.
- 68 Keith, History, ii, 252.
- 69 *ibid.*, History, ii, 251.
- 70 Adams, 'Darnley', 141.
- 71 See this correspondence in, CSP Scot, ii, 1563-69, 102-116.
- 72 *ibid.*, ii, 105, and SP 52.9.79.
- 73 *ibid.*, ii, SP 52.10.79.
- 74 *ibid.*, ii, SP 52.10.79.
- 75 *ibid.*, ii, 109. This had been Maitland's consistent line of argument since 1561.
- 76 *ibid.*, ii, 109 and SP 52.10.79.
- 77 SP 52.10.11.
- 78 SP 52.10.21.
- 79 SP 52.10.21, and Read, Cecil, 34, for the limited sex-appeal of Mildred and William Cecil.
- 80 SP 52.10.33. Maitland's anger did not, however, reveal itself until the arrival of Elizabeth's fateful letter of 5 March, Dawson, IHR, 'Anglo-Scottish', 7.
- 81 Skelton, Maitland, ii, 144 and Keith, History, ii, 264 claim he passed a night at Lethington, this may have been so but it was more likely to be Haddington, CSP Scot, ii, 125-6.
- 82 CSP Scot, ii, 154, and SP 52.10.42 for Maitland's suspected favour of Darnley in May 1565. Randolph voiced his suspicions earlier, *ibid.*, ii, 86, over Maitland's reward of jewels from Lennox in October 1564. For the loan to Lennox see SP 52.10.42.
- 83 Skelton, Maitland, i, 331 but see my chapter 8 for a more detailed analysis of the significance of Maitland's marriage during the course of the civil war.
- 84 CSP Scot, ii, 129-34, esp, 133-4.
- 85 SP 52.10.26.
- 86 Dawson, IHR, 'Anglo-Scottish', 8-10 for the circumstances surrounding the delivery of this letter.

- 87 Murdin, Burghley Papers, 759.
- 88 NLS. 3657 f18.
- 89 *ibid.*, 3657 f18.
- 90 Keith, History, iii, 322 and CSP Spanish, 1558-67, 418, according to CSP Scot, ii, 142 he had not left Edinburgh by 7 April.
- 91 Russell, Maitland, entitled his chapter on 1565-6 as 'Mary her own Minister'.
- 92 RPC, vol. xiv 213-4.
- 93 *ibid.*, xiv, 213-4.
- 94 SP 52.10.35.
- 95 NLS 3657, f18.
- 96 SP 52.10.29.
- 97 NLS 3657, f18.
- 98 CSP Spanish, 1558-67, 410-11.
- 99 *ibid.*, 412.
- 100 *ibid.*, 420-26.
- 101 *ibid.*, 423.
- 102 As ever Maitland was able to keep his cards very close to his chest.
- 103 CSP Scot, ii, 164.
- 104 *ibid.*, ii, 140 and SP 52.10.32.
- 105 *ibid.*, ii, 141.
- 106 *ibid.*, ii, 141.
- 107 *ibid.*, ii, 6.
- 108 *ibid.*, ii, 142-3.
- 109 *ibid.*, ii, 144.
- 110 *ibid.*, ii, 144.
- 111 NLS 3657 f18.
- 112 Murdin, Burghley papers, 759 tells of the mention of Norfolk by Maitland. CSP Spanish, 1558-67, 427 refers to his possession of Hales'book, while CSPF vii, 349-50 relates his interviews with Elizabeth.
- 113 According to Randolph this letter appears to have arrived by 29 April, CSP Scot, ii, 148. For details of its length in cipher see *ibid.*, ii, 153 and SP 52.10.42.
- 114 *ibid.*, ii, 153.
- 115 *ibid.*, ii, 152.
- 116 Throckmorton's instructions are in CSP Scot ii, 150-2.
- 117 *ibid.*, ii, 154.
- 118 Details of Bothwell's Day of Law are in *ibid.*, ii, 152-3; for the Edinburgh riot see Lynch, Edinburgh and the Reformation, 107-110. See also Dawson, IHR, 'Anglo-Scottish', 12, note 34.
- 119 SP 52.10.42. and CSP Scot, ii, 152-5. Randolph also accused Maitland for his part in the conclusion of the deal between Morton and Lennox which secured the former's possession of Angus, *ibid.*, ii, 153.
- 120 *ibid.*, ii, 148.
- 121 Beaton was sent to stay Maitland, *ibid.*, ii, 156 and CSP Spanish, 1558-67, 431 for Maitland's departure from London.
- 122 SP 52.10.46.
- 123 SP 52.10.46.
- 124 SP 52.10.55.
- 125 SP 52.10.46.
- 126 SP 52.10.46.
- 127 SP 52.10.46.

- 128 Adv.MS. 6.1.13. f13.
- 129 This is certainly the view of Russell, Maitland, 179-181, 216-7 and A.Lang, The mystery of Mary Stuart, (London 1902), 23, Lee, Moray, 281, recognises the union of the realms as Maitland's ultimate goal but not necessarily along anglophile, Protestant lines. Blake, Maitland, 34-106 discusses his goals and motivations indepth and prefers to see Maitland as essentially a patriot, see especially pp 42 and 90.
- 130 I am grateful to my unilateralist friend Dr. Goodare for many discussions on this point.
- 131 Egerton 1818/18.
- 132 CSP Spanish, 1558-67, 419-26.
- 133 CSP Scot, ii, 118-20, for the memorial on the friends and enemies of Lennox.
- 134 Religion was one of Moray's rallying cries in his rebellion, *ibid*, ii, 243 and Keith, History, ii, 329-30.
- 135 CSP Scot, i, 588 and 591-3 and my chapter 3.
- 136 Donaldson, AQM, 72.
- 137 CSP Scot, ii, 162.
- 138 *ibid.*, ii, 222.
- 139 Papal Negs, 208.
- 140 *ibid.*, 208.
- 141 This will be discussed in detail subsequently, but note for the time being that Maitland was not employed for embassies to England, whilst as will also be discussed later the extent of Maitland's knowledge of Mary's 'papal' policy is debatable.
- 142 RPC, i, 335-386, *passim*; Labanoff, Recueil, i, 302 for Mary's claim that it was on Maitland's advice that she delayed the convention. For his intervention in Perthshire see CSP Scot, ii, 179 and 186, see also on this point, GD 50/187/ box one, folder 3, Argyll to Colin Campbell of Glenorchy.
- 143 CSP Scot, ii, 161 and J.Goodare, 'Queen Mary's Catholic Interlude' in Lynch, Mary, 154-170.
- 144 Diurnal, 70-1 and my chapter 3.
- 145 P. Mansel, The Eagle in Splendour: Napoleon I and his Court, (forthcoming) quoted in Starkey (ed) The English Court, 23.
- 146 This charge figured prominently in both these attacks on Mary. See Donaldson AQM, 62, 76-77. Goodare, 'Interlude', 159-61, and Calderwood History, ii, 573.
- 147 Lee, Moray, chapter vi, 'Moray's revolt', CSP Scot, ii, 155-7 and RPC, i, 335-6.
- 148 CSP Scot, ii, 171, SP 52.10.59.
- 149 Lee, Moray, 140-1 discusses these rumours. See also Donaldson, AQM, 62, 76-77.
- 150 Murdin, Burgley Papers, 758.
- 151 See Donaldson's discussion of this in AQM, 71-76.
- 152 Lee, Moray, 152.
- 153 Donaldson, AQM, 71, RPC i, 338.
- 154 RPC, i, 369-71.
- 155 *ibid.*, i, 369-71.
- 156 Diurnal, 81 and 87. For details of Johnstone as Maitland's client see Lynch, Edinburgh and the Reformation, app. v. 383.
- 157 CSP Scot, ii, 173-231.
- 158 Adams, 'Darnley' 131 and note 71, p148; Donaldson, AQM, 73.
- 159 Goodare, 'Interlude' 157-8. If anything the bias was Protestant with

- with Lennox and Eglinton, the only Catholics to benefit.
- 160 Donaldson, AQM, 72-74, but he makes clear that Moray did not succeed in mobilising all Lennox's enemies. From the list of Lennox's friends and enemies of February 1565 in CSP Scot. ii, 118-20, the number of his enemies who did not rebel is striking, eg, Huntly, Eglinton, Cassillis, Morton, Maitland, Fleming, and Livingston.
- 161 Lynch, Edinburgh and the Reformation, 109-114.
- 162 *ibid.*, 109-114.
- 163 Diurnal, 81-2.
- 164 Dawson, IHR 'Anglo-Scottish', 21:
- 165 *ibid.*, 21 and note 67.
- 166 J.Dawson, 'Two kingdoms or three?', 125-6.
- 167 RPC, i, 335-386, *passim*.
- 168 SP 52.10.66.
- 169 Dawson, IHR, 'Anglo-Scottish', 20.
- 170 SP 52.10.65.
- 171 This quotation comes from the notorious denunciation of May 1568, reckoned to be the work of Archbishop Hamilton rather than Mary, see W. Fraser, Lennox, ii, 437-447.
- 172 SP 52.10.65., for details of Graham, see Lynch, Edinburgh and the Reformation, app. v. 282.
- 173 SP 52.11.59.
- 174 Adv MS 34.6.24,f280 for Maitland's appointment of Johnstone as his deputy.
- 175 CSP Scot. ii, 254-5 and Goodare, 'Interlude', 164.
- 176 For Maitland's apology see BL Addit. MS 33,531, f35 and CSP Scot. ii,268, for the abridged printed version. For Ruthven's account see, Keith, History, iii, 260-78.
- 177 Lynch, Mary, 14-15 and note 71, p27.
- 178 NLS 3657 f24.
- 179 CSP Scot. ii, 223.
- 180 Knox, History, ii, 178 and Goodare 'Interlude' 165.
- 181 CSP Scot. ii, 242-3 and E.Finnie 'The house of Hamilton: patronage, politics and the Church in the Reformation period', IR,36, (1985), 3-28.
- 182 *ibid.*, 254, Fraser, Mary, 295.
- 183 Lynch, Edinburgh and the Reformation, 116 and 120.
- 184 Donaldson, AQM, 79.
- 185 Keith, History, iii, 271.
- 186 Goodare, 'Interlude' 154-61, *passim*.
- 187 *ibid.*, 159, Keith, History, iii, 271, Addit. 33,531 f35. Lynch has questioned the 'ancientness' of the nobility in Lynch, Mary.
- 188 Chalmers was not appointed to the privy council until 19 March 1566, RPC, i, 436, the first meeting after the Riccio murder. He had been appointed an ordinary Lord of Session in January 1565, Brunton and Haig, Senators, 123-5.
- 189 For Maitland's relationship with Craigmillar see my chapter 3.
- 190 Goodare,'Interlude', 167.
- 191 A. Fraser, Mary, 312.
- 192 Knox, History, ii, 167 and CSP Scot ii, 686.
- 193 Donaldson, AQM, 80
- 194 Diurnal, 88.
- 195 See Ruthven's and Maitland's apologies previously cited.
- 196 Knox in particular emphasises the influence of 'that poltroon and vile knave Davie', Knox History, ii, 167- 173, 175-177. Randolph too,

- was a regular reporter of 'seigneur Davie' CSP Scot, ii, 171, 213 and NLS 3657 f24.
- 197 CSP Scot, ii, 264 and Knox History, ii, 179.
- 198 Keith, History iii, 260-78 and Addit. 33,531, f35.
- 199 Addit. 33,531, f35.
- 200 *ibid.*, f35 but see also A.Fletcher, Tudor Rebellions, (1968) for the frequency of loyal rebellions in the century. See also R.A. Mason, 'Covenant and Commonweal' 111-112, and J.H. Elliot,, 'Revolution and continuity in early modern Europe' in Past and Present, 42, (1969), 35-56.
- 201 See my chapter 2 and Maitland's detailed arguments in Robertson, History, iii, 273-80.
- 202 Melville, Memoirs, 148.
- 203 Diurnal, 85, but this is not corroborated by RPC, i, 416-7 which suggests he lost it a later date. See *ibid.*, i, 416-7 for the efforts of Morton, Maitland, Bellenden and Ruthven in January 1566 to keep Tantallon in Morton's hands. to resist this move.
- 204 Moray had no regard for Ruthven, CSPF, vi, 166-9. See also, Goodare, 'Interlude', 157.
- 205 CSP Scot, ii, 242.
- 206 *ibid.*, ii, 236-7.
- 207 J.Stevenson, (ed), Selections from unpublished manuscripts.... illustrating the reign of Mary, Queen of Scotland, 150-1, and CSP Scot, ii, 229-30.
- 208 Knox, History, ii, 173 for Maitland's defence of Knox's prayers for the banished lords.
- 209 *ibid.*, ii, 174 and Woodrow Soc. Misc, i, 287-88.
- 210 Keith, History, iii, 121-126.
- 211 Stevenson, Selections, 158.
- 212 Professor Cowan put this very clearly in 'The Roman Connection', in Lynch, Mary, 107-8.
- 213 See the bonds between the lords and Darnley in Keith, History, iii, 261-3.
- 214 W.Forbes-Leith, Narratives of Scottish Catholics under Mary Stuart and James VI, (Edinburgh,1885) 108.
- 215 Papal Negs, 492-5, ESR, 315, Knox, History, ii, 175.
- 216 Papal Negs, section vii, 232-62, and section vi, 191-231 *passim*.
- 217 *ibid.*, 208, and Keith, History ii, 320.
- 218 CSP Scot, ii, 254-5.
- 219 *ibid.*, ii, 254-5 and Goodare, 'Interlude' 164-5.
- 220 *ibid.*, Goodare, 164-5.
- 221 Papal Negs, 232-4, Melville, Memoirs, 146-7, Wormald, Failure, 153.
- 222 Papal Negs, 505.
- 223 CSP Scot, ii, 242-3, Lynch, Mary, 7, Goodare, 'Interlude', 161. Fraser, Mary, 333, quotes the death-bed speech at Jedburgh. The best account of the Jedburgh crisis is however J.Small 'Queen Mary at Jedburgh in 1566', Proc. Soc. Antiq. Scot. 3 (1881) 210-39
- 224 Lee, Moray, 160.
- 225 Papal Negs, 367-8, 370-1 and Nau, Memoirs, app. i, 123 for her avowal to the papacy of her refusal to spill the blood of her subjects in the name of religion. Her conflict with the radical Protestants is well chronicled in Knox, History, *passim*.
- 226 H.Kamen, The Iron Century: Social change in Europe 1550-1660. (London,1976) 285-91.
- 227 Keith, History, ii, 269.

- 228 RPC, i, 409.
- 229 Keith, History, iii, 261-3.
- 230 CSP Scot, ii, 259-60, 255, 258. CSP Spanish, 1558-67, 540 expressed the view that the whole plot had been hatched in England.
- 231 NLS 3657 f 24.
- 232 Dawson, IHR, 'Anglo-Scottish', 20-1.
- 233 *ibid.*, 20-1, 234 Stevenson, Selections, 158, Russell, Maitland, 249.
- 235 Diurnal, 87-88.
- 236 SP 52.10.36.
- 237 The Maitland-Hepburn rivalry went back a long way. See for example their repeated clashes over Haddington Abbey, Donaldson, The Cistercian Nunnery of Haddington, *passim*.
- 238 Historie KJVI, 4, Maitland unquestionably lost out a great deal to Riccio.
- 239 Melville, Memoirs, 131-4, see my chapter 4 for the enmity Maitland and Lord James aroused.
- 240 Addit. 33,531 f35.
- 241 GD 50/187/ box one, folder 3 25 December 1565, Maitland to Katherine Ruthven.
- 242 Brunton and Haig, Senators of the College of Justice, 106, and Goodare, 'Interlude' 160.
- 243 RPC i, *passim*. and Brunton and Haig, Senators, 90 for details of his services to Châtelherault, Mary of Guise and Mary.
- 244 Diurnal, 87-8, CSP Scot, ii, 257.
- 245 SP 52.12.10, *ibid.*, ii, 255.
- 246 *ibid.*, ii, 255.
- 247 *ibid.*, ii, 255.
- 248 SP 52.12.12, Donaldson AQM, 106, Melville, Memoirs, *passim*.
- 249 Keith, History, iii, 260-78. The Maitland-Ruthven friendship has been noted throughout this thesis.
- 250 *ibid.*, iii, 261-3 and RPC i 437, 462-3.
- 251 Buchanan, Chameleon, 46-47.
- 252 Calderwood, History, ii, 311-4.
- 253 Calendar of Writs preserved at Yester House, nos 735 and 736.
- 254 CSP Scot, ii, 259-60.
- 255 RPC, i, 437.
- 256 *ibid.*, 437 and Lynch, Edinburgh and the Reformation, app. v, 282.
- 257 RSS, v, pt. ii, 2686 and Donaldson, Cistercian nunnery of Haddington, 23, for Maitland's loss of the abbey. See RSS, v, pt. ii, 2687 for Maitland's lands which passed into his father's hands.
- 258 Mary's remarkable recovery from the coup has been acknowledged by all the standard works. Even her most severe critics, including Wormald, Failure, have praised her achievement, 'for once she acted with utter determination and decision', 159.
- 259 RPC i, March 1566-June 1567..
- 260 Donaldson AQM, 80, HBC, 176.
- 261 Donaldson, AQM, 80, CSP Scot, 1563-69, 288-9, Melville, Memoirs, 154-55 for Huntly and Bothwell's feelings against Moray. Argyll was to remain one of Mary's most useful supporters as my chapters 7 and 8 acknowledge. See Dawson, 'Two kingdoms or three?', 127-31.
- 262 Dawson, 'Two kingdoms or three?' 125-6.
- 263 Diurnal, 100 for James birth on 19 June 1566.
- 264 Goodare, 'Interlude', 168.
- 265 Lynch, Mary, 18, Knox, History, ii, 178.
- 266 Papal Negs, 496 and Knox, History ii, 185.

- 267 *ibid.*, ii, 183, Diurnal, 94 for Knox's departure to the west.
- 268 Papal Negs, 370-1, Nau, Memoirs, app, i, 123.
- 269 M. Lynch, 'Queen Mary's Triumph: the Baptismal celebrations at Stirling in December 1566', in SHR, 187, April 1990, 17-18 for Mary's conciliatory tactics at this time.
- 270 CSP Scot, ii, 274-6, note the bar on Maitland's residence in England or France.
- 271 *ibid.*, ii, 283.
- 272 *ibid.*, ii, 283 and 289..
- 273 CSP Scot, ii, 269 and 289.
- 274 See GD 112/39/1-132 for Maitland's correspondence at this time from Dunkeld and Callendar. These also reveal Maitland's uncertainty as to his destination
- 275 CSP Scot, ii, 276, on 21 April Maitland was in Livingston's house.
- 276 *ibid.*, ii, 299 for Moray's efforts and GD/112/39/1 for the efforts of Argyll and Athol to secure Maitland's rehabilitation.
- 277 *ibid.*, ii, 300 and CSPF, viii, 128-31.
- 278 Russell, Maitland, 263; Donaldson, 'Cistercian Nunnery', 23.
- 279 Lynch, 'Triumph', 19-21.
- 280 CSP Scot, 156-69, 302. See also J. Small, 'Queen Mary at Jedburgh in 1566', 210-39.
- 281 Tytler, History, v, 364.

CHAPTER SEVEN

THE ORIGINS AND DEVELOPMENT OF THE CIVIL WAR 1567-1570

The year 1567, regardless of the nocturnal detonation of 9 February at the Kirk o Field, can quite fairly be adjudged amongst the most explosive years in Scotland's history. Quite apart from the assassination of the Queen's husband, for the first time in Scotland a reigning adult monarch had been forced to abdicate by her own subjects and sanction the coronation of an infant heir, who, in the process became the only Scottish monarch to be crowned in the parish kirk at Stirling and only the second not to be crowned by his baptismal name.¹ These facts provide an early and appropriate illustration of the lack of tradition, dignity and precedent that continually hampered the progress of the King's Party in the following six years of civil war. That these basic facts have tended to be ignored is symptomatic of the misdirection of attention in the more sensational speculation that hinders helpful historical comment on the civil war years in Scotland. The recent seminal research into the renaissance triumph of Stirling has helped to redress this imbalance by providing a wholly different perspective from which the drama of 1567 and beyond can be viewed.² It is from such a perspective, of a Mary triumphant, that this chapter will attempt to analyse the origins and development of the Scottish civil war with Maitland's tortuous conduct from January 1567 up until the assassination of Moray in January 1570 commanding particular attention. These years witnessed the visible demonstration of the full extent of Maitland's capacious political adaptability, subsequently and bitterly denounced by his erstwhile colleagues in the King's party only when he had transferred his devious abilities and allegiance to the Queen's party. As Maitland bitterly reflected in 1571, 'yea to be schort with you so long as I was a pillar to meanteane thair unjust authoritie, they would never put at me as they doe!'³

From the opening of the year 1567, heralded by the renaissance magnificence of the Stirling baptism through to Moray's assassination in 1570, Maitland was characteristically prominent. He had taken a full

part in the ceremonial splendour of Stirling but more significant was his role in the realization of the policy inherent in much of the renaissance imagery of the baptismal triumph: the renegotiation of the amity with England. Symbolic allusions to a Britain united under a Stewart monarchy had abounded in the Triumph and in January 1567 Maitland was instrumental in the transposition of this imagery into effective diplomatic action. Coinciding with Mary's own letter to Elizabeth of 3 January was a letter of Maitland's to Cecil dated 4 January, both of which were stark in their contrast to the earlier diplomacy of the reign.⁴ However, before examining this new policy in detail it would be remiss not to recognise that the Stirling celebrations were also of especial personal importance to Maitland.

Maitland's Marriage To Mary Fleming

On the twelfth night of Christmas, 6 January, in the Chapel Royal he finally married his elusive bride Mary Fleming.⁵ It was a controversial if not sensational match. Kirkcaldy believed Fleming to be as fit a wife for Maitland as he was to be Pope. There was an age difference of at least ten years between the couple but much of the controversy seems to have been sparked off by jealousy.⁶ Mary Fleming was certainly a most desirable catch and Randolph in particular seems to have been particularly envious of Maitland's success in this respect. The noted Elizabethan diplomat, Sir Henry Sydney, was a former suitor and even Buchanan had been sufficiently stimulated by her grace and beauty on an earlier twelfth night to wax lyrical about her, whilst Randolph stretched his own powers of hyperbole to compare her favourably to Venus, Minerva and Juno.⁷ Actual details of the wedding are scarce and the occasion was perhaps bereft of the splendour of the twelfth night of 1564 when Mary Fleming as 'queen of the bean' and personally attended and dressed by Mary was the object of Buchanan's and Randolph's voluminous praise and admiration. It is almost certain that Mary, who had recently returned to Stirling after celebrating Christmas at Drummond Castle, was present at the wedding of her Secretary to her intimate Marie, who, after the Chatelard incident had been her bed-fellow.⁸

Far more significant than the romantic and sentimental aspect of

this, Maitland's second marriage, was its creation of a new and intimate link between Mary and himself, whereby he was 'further entwined in Mary's inner court circle'. It also secured for Maitland a new and extensive kinship base, which in the course of the civil war he was fully able to exploit.⁹ It would be helpful to know whether the marriage was performed by Catholic or Protestant rites but this information is elusive. Yet even without this desirable information it is clear that Maitland's wedding brought the curtain down on a remarkable chapter in the history of the court at Stirling and one that marked his complete rehabilitation following his part in the conspiracy of March 1566.

The Re-Negotiation Of The Amity

In January 1567 a personally secure and confident Mary was able to call upon Maitland to support the more aggressive amity with England. This was the main feature of Mary's policy in the early weeks of 1567 and not as many commentaries on the period suggest, the construction of a conspiracy to murder her husband. It was a policy that had been evident in the preceding autumn, chiefly through the diplomacy of Maitland's close associate, Robert Melville, who had become Mary's first, permanent resident ambassador to the English court. In this post-triumph period it was emphatically re-stated.¹⁰ It has been argued throughout this thesis that the notion of the amity based exclusively along godly, Protestant lines is somewhat suspect. After Mary's return in 1561 it was essentially lip-service that had been paid to those ideals, designed to win Elizabeth's recognition of Mary's claim to the succession. What was striking about this new amity was the absence of even lip-service to this godly element. There is evidence to suggest that Maitland, while in unquestionable sympathy with the aim of union and Mary's claim to the succession, was not entirely comfortable with the means adopted by Mary at this stage.¹¹ However, in January 1567 when he had only recently been restored to Mary's favour, he was in no position to argue with her.

Maitland's aforementioned letter to Cecil probably arrived at the same time as Mary's to Elizabeth and they certainly carried complementary messages. If read together they illustrate with

translucent clarity the new agenda in Anglo-Scottish politics. January 1567 is arguably the high water mark of the personal reign of Mary Stewart. Her prospects in contrast to Elizabeth Tudor's must have seemed so much brighter. At the age of 25, Mary was already in possession of that most rare Tudor commodity, a male heir. She seemed destined, with her realm apparently united behind her, to lead Scotland into a new and prosperous age of religious and civil stability. Mary had engineered this dramatic shift of power through an astute combination of domestic and foreign policy and was now in a stronger position than ever before to exercise pressure on Elizabeth in the question of the English succession.

The Irish question was often a consideration of critical importance in Anglo-Scottish relations; the unique capacity of Argyll to intervene effectively on Irish soil was of especial relevance at this time. Ironically, it was Elizabeth's inept neglect of Argyll that allowed Mary to exploit the possibilities produced by Shane O'Neill's rebellion. Argyll's future behaviour in Ireland was now a major bargaining counter for Mary in her negotiations with Elizabeth for the succession. The prospect of a pan-Celtic alliance arraigned against her, together with the new-found domestic stability of Scotland so recently demonstrated in renaissance style, was enough to force Elizabeth to consider once more the vexatious question of the succession. The very fact that she had to countenance the question of Mary's claim and the prospect of an amity based no longer exclusively on English and Protestant lines is in itself a striking testament to the new balance of power.¹²

Mary's confidence in her ability to dictate the terms of the amity to Elizabeth is outrageously clear in her instructions to the earl of Bedford which accompanied her letter to Elizabeth.¹³ In a reversal of the roles played in 1561-65, Mary delighted in a deliberate mimicry of Elizabeth's earlier specifications as to her choice of husband. In thinly veiled facetiousness, so reminiscent of Elizabeth's earlier attitude to Mary's marriage, Mary expressed her hope that Elizabeth would marry soon and that: 'For oure part the personage quhome with scho sould joyne, nixt hir awin contentment sould be inclynit to the utilitie of bayth the countreis and intertening of oure amytye and intelligence'. Mary went on to specify, 'gif the Archduke Charles the Emperouris

brother sould be that persoun thair is none quhome we wald lyke bettir of ... knawing the gude affectioun he as the Princes freindis beris to us'. Similarly tit for tat was Mary's insistence in response to Bedford's complaints of Patrick Adamson's Latin verses in praise of Charles James, Prince of Scotland, England and Ireland that those guilty of circulating anti-Marian propaganda in England should be suitably punished.¹⁴ It is difficult to imagine a clearer illustration of the positively, bullish, post-natal bargaining stance Mary was able to adopt in her relations with England.

Maitland's accompanying letter was not quite so irreverent but was nonetheless forceful in tone. It is a remarkable document, not least because in supporting this more aggressive prosecution of Mary's claim to the English throne, he did not have to produce a single argument that he had not used at some point from 1561 to 1565.¹⁵ Maitland admitted this when he said, 'I have forborne so long to deal with this matter that I have almost forgotten many thinges which may be sayd for corroboration of her right which I can shortly reduce to my remembrance being at Edinburgh where my notes are'. What was new, however, was the absence of any godly overtones and his bold emphasis that Mary's claim, in the absence of Elizabeth's own offspring, was no favour to be granted but Mary's birthright, sanctioned by every conceivable principle of English civil, canon and common law.

Maitland's admission regarding the succession, that, 'I cannot be altogether ignorant of this matter considering that I serve my sovereign in the rowme that you serve yours' further emphasises the significance of the office of Secretary in both countries and the intriguing relationship between the two men. Of far greater import was Maitland's forceful prosecution of Mary's claim and his skilful repudiation of the pretended constitutional hurdles that 'sum wald lay as a bar in oure way'. The construction of Maitland's argument bears witness to his own distinguished legal provenance and is striking in its detailed knowledge not only of English law but also of English history.

An amusing proof of this and also of the contrast between Maitland's unionist position on this occasion and the sytaphantic ground he occupied when he promoted the union of the realms through the Arran

match, was his dismissal of the foreign birth of Mary as a bar to her claim.¹⁶ Maitland manipulated the English claim to sovereignty over Scotland to remind Cecil:

heretofore you have in sundry proclamations preceding your warres making and in sundry books at several times laboured much to procure the homage and fealty of Scotland. Your stories be not voyd of this intent... what the judgement of the Fathers of your Lawe is and what commonly is thought in this matter you know better than I.

His drift was clear. By England's own claims to sovereignty over Scotland, which, as Maitland confessed, he 'being a Scott will not affirme the same' Mary could hardly be regarded as a foreigner. It is ironic to note Cecil's own convenient manipulation of this claim to sovereignty over Scotland. While happy to ignore that such a claim overcame the problem of Mary's foreign birth, in the different circumstances of May 1568, Cecil was quite happy for Elizabeth like Edward I, 'to hear and decide any controversy for the crown of Scotland' on the grounds that, 'of ancient right it apparteneeth to the crown of England as by multitude of recordes, examples and presidentes may be proved'.

Maitland dealt with other implications of the foreign birth argument providing proof that, 'it was alwaies the comon lawe of your realme that in the case of the crowne forraine birth was no barre'. He offered several historical and legal illustrations to prove his case as well delivering a gibe at England's delusions of grandeur. He reminded Cecil that although England was a, 'noble and puissant countrie the respect of the alliance only and the dowry hath not moved the great princes to matche soe often in marriage but the possibility of the Crowne in succession'. He drew upon the chronicles of Polydore Virgilius, 'written when it was little thought that this matter should come to question 'as proof 'to the world' of Henry VII's intent in marrying his daughter Margaret to James IV, 'by whose person the title is devolved upon my sovereign'.

Maitland then turned his attention to the problem of Henry VIII's will. Here he did alter his approach to that of 1561 by challenging directly the authenticity of Henry's will. He again used England's own 'histories and chronicles of that age' which 'do comtamine and despair greatly the raygne of that Kyng' to strengthen his case, before naming

an illustrious list of Tudor nobles and courtiers who could aver that the will was not even signed by Henry but was a forgery perpetrated by corrupt officials. Before closing, Maitland re-echoed Mary's wish for speedy and 'effectual reparacon' of anti-Marian propaganda such as John Hales' book, the publishing and exemplifications of Henry VIII's will, the disputes at Lincoln's Inn that had ruled against Mary's claim and the recent derisory speeches made against Mary in Parliament.

Maitland concluded his assertive missive by chiding Cecil's hesitant unwillingness to deal with the succession question over the years. Cecil, was too 'willing to forbear altogether to deale therein unless you were expresslie commanded thereunto by the Queen's Majestie' and pretended 'more ignorance than is convenient for a counsellour' and he urged him to rectify this failing. Maitland's insistence that Cecil ought to make the most of this opportunity to oblige Mary after the discovery of Christopher Rookeby's spurious activities was a final reminder that the need to satisfy her was once again a consideration for England and Cecil to take into account.¹⁷

Maitland's letter resembled more of a tract and in the detailed analysis of the Early Elizabethan Succession Question it has been treated as such.¹⁸ It was a revitalised expression of Mary's claim to be recognised as Elizabeth's successor and a clear statement that Mary was not prepared to tolerate Elizabeth's inflexible approach, which the failure of the Leicester marriage proposal and her subsequent marriage to Darnley had stiffened. Emboldened by a domestic and international political scenario which rendered Mary's prospects far more propitious than Elizabeth's, it represented her most forceful diplomacy to date in her dealings with Elizabeth. While with hindsight, the Stirling Triumph can be regarded as the most singularly inapt portent of Mary's fortunes, it would be erroneous to ignore the strength of Mary's position at the opening of 1567. This is not to suggest that the momentum of Mary's new-found strength would have proven irresistible in the quest for the English succession. It is improbable that Elizabeth would ever have conceded any substantial ground in the matter. However, the pressure Mary was able to exert, particularly through her manipulation of the Irish question, was certainly enough to cause Elizabeth and her councillors several major headaches. There can be

little doubt that the principal beneficiaries of Mary's fall from power were England and Elizabeth. By June 1567, the scenario had changed completely. Mary had been defeated at Carberry, O'Neill was dead and Elizabeth could once again rest easy in her position of superiority over the British Isles. As this thesis has strived to show it was not ever thus.

The Problem of Darnley

The Darnley murder was the first of a chain of events that signal the end of Mary's personal reign but most modern historians have been right to point out that this had very little to do with her downfall. Genuine grief at the passing of Darnley was a commodity in short supply and in any case an irrelevance. What was not so scarce nor irrelevant was the widespread expressions, both international and domestic, of outrage at the murder but even these were insufficient to bring Mary down.¹⁹ What was at the root of Mary's downfall was her own disastrous conduct in the four-month period after Darnley's death. which ended in the fiasco of Carberry Hill. It is to those events that attention will now be turned.

If this appears to be a contrived minimalising of the Darnley murder it is perhaps no bad thing. It is tempting to dismiss it altogether in those few sentences but further comment is essential on several counts. It is not the intention here to become embroiled in the most inconclusive unsolved murder in Scottish history but rather to try and pin down with some degree of accuracy the prevailing political climate at the time of the murder and to discuss its impact. In January 1567 there was one major blot on Mary's otherwise auspicious political landscape; her disaffected husband Darnley. Historians have not been slow to argue that it is doubtful whether he could have caused Mary as much harm alive as he did by his death. Despite the accuracy of this view, the inconvenience and hindrance that the man who had been proclaimed King of Scotland in July 1565 had become to Mary should not be underestimated. For once, almost the entire nation could agree with Knox when he said of Darnley that 'none was like unto him within this island'.²⁰ Fatherhood had done nothing to mature Darnley's character and his behaviour was becoming increasingly intolerable. Affairs seem to

have reached a head in October 1566 with his hare-brained scheme to flee the country.²¹ Mary was acutely aware of the personal and political embarrassment of such a move and, along with her nobility, actively pursued measures to counteract and limit the damage. Her response to Darnley's wanderlust was a sensible and alert pre-emptive diplomatic strike. With the full backing of her council, letters were sent to Archbishop Beaton and Catherine de Medici, warning them of Darnley's behaviour.²²

Mary's handling of the Darnley problem, prior to his murder, was the epitome of the consensual politics that lay at the heart of the success of her personal reign. Mary's desire for conciliar consensus as to the problem of Darnley is perhaps the safest conclusion to be drawn from the much fabled Craigmillar conference, which, as evidence of Mary's, or anyone else's complicity in a plot to murder Darnley is highly spurious.²³ Given the widespread contempt for Darnley within Scotland it is hardly surprising that there is such a multiplicity of possible assassins. As with virtually every candidate there is certainly no shortage of speculation to suggest Maitland's collusion in the affair. He was certainly suspected by contemporaries and there are several main counts which can be used to show Maitland was guilty of more than fore-knowledge.

Evidence For Maitland's Involvement In The Darnley Murder

Perhaps the most obvious is the Craigmillar Conference itself, particularly the version of this gathering given in Huntly and Argyll's Protestation of 1568.²⁴ This highly partisan account concocted by Lesley with the specific intention of proving Moray and Maitland's guilt in the crime is, as hard evidence, valueless. Yet the words Lesley put into Maitland's mouth that some action would be taken and that Moray would 'look through his fingers thereto' are nonetheless pertinent.²⁵ The ability of the Scottish nobility to look through their fingers is the perfect indictment not only of Moray and Maitland but of a good many, who were only too happy to see Darnley disposed of but not to get their own hands dirty.

Maitland's complicity in the murder is often seen to be proved by his journey to Whittingham along with Bothwell to meet the recently

returned Morton on 10 January 1567.²⁶ Not surprisingly a sinister interpretation has been placed on this event but once again evidence to this effect is unreliable. The only records of the actual conversation came almost a decade and a half later from the not impartial sources of Archie Douglas and Morton. According to them the murder was discussed with Morton refusing to join Mary and Bothwell's scheme. It is possible, however, to put a less sinister interpretation on the visit. It was not unusual for a returning noble to be visited by two of the leading figures in the government, particularly when all three shared such common local interests. It is worth-while remembering that Maitland's sister Elizabeth, was married to William Douglas of Whitttingham.²⁷ It does, however, seem very likely that the elimination of Darnley was the prime business of this visit.

The passing of the Priory of Coldingham out of the hands of Bothwell's infant and orphaned nephew, Francis Stewart, into the Maitland's family hands on 7 February, just two days before Darnley's murder is not above suspicion. This may well have been a pay-off for acquiescence in the crime with Maitland's brothers, John and Thomas, sharing 1000 merks a year but again it is impossible to be certain of this interpretation.²⁸ There are many other suspicious circumstances which point towards Maitland's complicity in the murder. His refusal to undertake a diplomatic mission to London on the unconvincing grounds of his recent marriage is striking.²⁹ It was uncharacteristic of Maitland not to take advantage of a mission to England when he was in sympathy with the policy being pursued. This suggests two things: the first being perhaps Maitland's disquiet over the way the amity was being handled and the second, his foreknowledge of a more important matter and his determination to ensure he was well placed to cash in on the political scramble that he knew must follow Darnley's death.

Despite Claude Nau's insistence that Maitland had signed the Darnley murder bond, it is impossible to identify with any certainty Maitland's position.³⁰ There is after all not so much an abundance of conflicting evidence as conflicting speculation. This confusing state of affairs is epitomised by the fact that it was alleged in some quarters that Maitland was not present at the wedding of Bastien and indeed out of Edinburgh, whilst elsewhere it is argued that Maitland together with

Bastien was responsible for saving Mary's life on the night of the murder.³¹ That Maitland, within hours of the murder, penned the official explanation sent to Catherine de Medici and signed by the privy council including Bothwell, Huntly, Argyll, and Archbishop Hamilton telling of Mary's fortuitous escape from death is significant in a number of respects.³² Firstly, it shows that Maitland cannot have been far away on the previous night and secondly, that he was happy not to ask too many searching questions about the murder. It seems highly unlikely that Maitland was unaware of the plot to kill Darnley and that, in common with the majority of the Scottish nobility he was more than happy to look through his fingers and take advantage of the political opportunities this would create. For there can be no doubt that the murder of Darnley created a wholly new political scenario in Scotland.

The Impact Of The Darnley Murder

Mary was devastated by the murder and plunged into a severe and debilitating depression from which it is doubtful if she fully recovered during 1567. Her morose behaviour in the post-Darnley era bears no resemblance, and contrasts sharply, to the dynamic vitality of her earlier years. Not for the first time medical experts feared her life was in danger.³³ A perhaps not unsurprising accompaniment to this physical breakdown was its alarming effect on her political judgement as well. It was this that facilitated Bothwell's ascendancy and her own downfall. Yet it was perhaps a mark of the success of her personal reign and her well-established administration that, despite her own breakdown, there was every appearance of business in the post Darnley-era being conducted as usual. The evidence of governmental records provide every indication that the usual organs of government continued to function. There is no breach in the Treasurer's or Comptroller's accounts although it is true that following Mary's deposition the Comptroller's accounts were presented for examination somewhat later than normal. Similarly, during the four months from February to June 1567 there is no noticeable slackening in the number of charters granted under the Great Seal.³⁴ Even more significant is the clear and determined efforts to ensure regular and efficient conciliar government. While this was almost certainly an admission of weakness, this does not

detract from the eminently sensible provision of such a step. An ordinance of the privy council of May 1567 made detailed provision along the lines adopted in 1562 to split her nobles into carefully selected groups 'so that for the whole year thai sall remane and await bot the monthes of council at twa times a year'. As in 1562, a ticket monitoring system was also to be used to ensure regular attendance.³⁵

The make-up of these four groups reveals an interesting balance. One section was made up of a predominantly Catholic group of John Lesley, Cassillis, Errol, Crawford and Oliphant; another had a distinctly Protestant flavour, headed by Morton, Rothes, Fleming and Alexander Gordon, the reforming Bishop of Galloway. There was much more of a religious balance in the next group of Archbishop Hamilton, Argyll, Caithness and Herries. Those four were all to distinguish themselves as loyal Marian supporters over the ensuing years. Of the final group of Huntly, Athol, Boyd and Marischal there is also a delicate balance. Athol, the late Catholic recruit to the Queen's party, was outnumbered by his more Protestant colleagues, who, with the exception of Marischal (whose allegiance in the civil war has yet to be satisfactorily traced) were all to subsequently distinguish themselves in Mary's service during the civil war. The attendance of these groups was to be supplemented by the established officers of state, which included Maitland as Secretary and other notables as Mary saw fit.³⁶ However, if Mary was seeking to secure widespread support by this move she was to be disappointed. By May 1567, following her marriage to Bothwell, the damage had been done and most of the aforementioned councillors were conspicuous by their absence from Carberry in her support. As was long ago observed 'this supremacy of dignity in the council' was of short duration.

An equally confident measure was the revocation on 8 May of the lieutenancies granted during the Chaseabout raid to Lennox, Athol, Bothwell and Lindsay of the Byres, on the grounds that such crisis measures were hardly necessary when 'hir hienes is contentit with all hir nobilitie and na troubill nor insurrection standing within hir realme'.³⁷ Within a month the inaccuracy of this assessment of the state of the realm was completely exposed, with Mary left anything but contented and her realm anything but quiet. Most commentators have

seen Bothwell rather than Mary as the driving force behind these measures, which draws attention to Bothwell's own not insignificant abilities. His successful seizure of the political initiative and his manipulation of the privy council in the post-Darnley era, ably assisted by supporters such as David Chalmers of Ormond, are a testament to his talents. His ultimate failure should not detract from the soundness of his policies in the council, which in a more popular royal consort would perhaps have been declared statesmanlike.³⁸

This 'dignity of the council' and the impression of business being conducted as usual, acted as a smokescreen to the intense, political scramble that the Darnley murder provoked for influence over Mary and her policy. It is possible that part of the reason Maitland was happy along with the rest of his colleagues 'to look through his fingers' was because of the greater freedom of action an enervated and less triumphant Mary allowed. At any rate, it is clear that Maitland with characteristic skill was quick to adjust to the new situation. In common with a good many others in the post-Darnley era, Maitland was pursuing his own policy. What clearly seems to have been underestimated by many, including Maitland, was the strength of Bothwell's own putsch. For in the immediate post-Darnley interim Maitland was able to devote his attention to his forte, Anglo-Scottish relations, before being diverted by the more pressing problem of Bothwell.³⁹

The Collapse Of The New Amity

It was a measure of the established strength of Mary's position that the immediate impact of the Darnley murder was insufficient to act as a brake upon the progressive prosecution of Mary's claim to the English succession. Throughout February and March 1567 efforts continued to be made on the succession issue through the diplomatic efforts of Sir Robert Melville and Maitland himself.⁴⁰ There was however, a significant change of emphasis in the manner in which the negotiations were conducted and it was a change in which Maitland's hand can be seen very much to the fore. A glimpse into Maitland's handling of the succession issue at this time is provided by a letter of his to Cecil dated 13 March. This letter, in response to two elusive letters of Cecil's dated 25 and 26 February, reveals Cecil's clear disapproval of

the 'new amity' and his anxiety to restore it to its former Protestant basis.⁴¹ It also shows that Cecil had a more than willing ally in Maitland in this respect. Cecil had requested Maitland's assistance to ensure that Mary 'wold allow off your (England's) estate in relligion'. Maitland's enthusiastic response to this appeal is highly instructive in several respects.

Maitland admitted to Cecil with regard to the likelihood of Mary's embracement of Anglicanism that:

it is one off the things in earth I most desyre: I dare be bolde enough to uter my fansy in it to her majesty, trusting that she will not lyke me the wors for utering my opinion and knowledge in that is most proffitable for her every way. And I do not dispayre but although she will not yealde at the firste, yet with progres off tyme that poynt shalbe obtayned'.⁴²

This admission is an excellent indication of Maitland's ability, lampooned in Buchanan's Chameleon, to adapt swiftly to rapidly changing circumstances. For he was only able to promote such a policy because of Mary's debilitation following the Darnley murder. Quite possibly, because at this point unlike January 1567, Maitland was once again his own man, it reveals his true preference concerning the union of the realms - the dominant feature of his career- to which he was always committed though not always by the same means. This particular instance shows his enthusiastic embrace of the godly element which had been so carefully channelled since Mary's return. It may well have been genuine enthusiasm but it was certainly calculated. An amity based along such godly lines was also the most likely to appeal to an English audience. Maitland was pitching his line accordingly.

This letter also sheds light on the vexatious question of Maitland's religious convictions. Particularly evident, is his preference for a state-controlled church which is perhaps the safest statement one can make about his religious preferences. There can be little doubt Maitland was deeply envious of the Anglican Church. It is evident in his frequent clashes with the ministers of the Kirk whilst his parliamentary performances in 1560 and December 1567 suggest a yearning, if not for the theology of a Henrician Reformation, then certainly for the power the English Crown exerted over the second estate.⁴³

Whether or not Mary approved of her Secretary's strategy and his

belief that her interests would be better served by her adoption of an Anglican-style settlement and the restitution of a distinctly Protestant element to the amity is not certain. Possibly she did concur, and her official protection of the reformed church following the parliament of April 1567, was the first fruits of this policy.⁴⁴ If that is the case, the new amity shorn of its Protestant overtones can be said to have had a remarkably short but highly eventful political life. Yet Maitland's aspirations for the development of the amity in this direction were to be equally short-lived. The powerful surge of Bothwell ensured that more pressing domestic considerations became Maitland's chief concern.

Maitland's Attitude To Bothwell's Ascendancy

Bothwell had seized the initiative adroitly. He had gained an official acquittal of any part in the recent murder and also secured by equally spurious means the consent of a large majority of the nobility that he should marry the Queen.⁴⁵ He had played his hand well but events were to show he had played it too well. In keeping with the complexity of the entire year of 1567, it is hard to gauge Maitland's precise attitude to the developing ascendancy of Bothwell. He seems to have exercised a characteristic, cautious ambivalence before committing himself wholly to the destruction of Bothwell.

Vincenzo Laureo, the Bishop of Mondovi and papal nuncio to Scotland in 1566, seems to have gauged Maitland's position and likely course of action better than most. His impressive assessment, written in Italy in June 1567 but without prior knowledge of the Bothwell marriage, is quoted in full below.

Although the earl of Murray has left Scotland, yet Secretary Lethington remains. He is the most crafty of men, a thorough Huguenot and a great friend of Murray and as he has great influence with the queen, he is capable of doing one of two things. He might on the one hand corrupt her which God may avert and persuade her to marry the earl of Bothwell who has ever being the queen's most trusty and obedient adherent; and this Lethington might do in order to reconcile and ally himself with that earl. On the other hand he might dissemble the hatred which he bears to the said earl, involve him in the queen's disfavour and procure the recall of the earl of Murray into Scotland⁴⁶

It is a remarkably accurate testament and one that raises most of the pertinent issues of Maitland's conduct at this time. Laureo clearly

discerned the true state of the Bothwell-Maitland relationship. There was certainly no love lost between the two men. Despite Mary's public reconciliation of the two, the Hepburn-Maitland rivalry ran deep. On a local level it was evident in their frequent clashes over Haddington Abbey whilst on a more personal level Bothwell had already threatened Maitland with his life and was to do so again on several occasions. In May 1569 Bothwell claimed that, 'both England and Scotland would be better places if both their secretaries were dead' and that had Mary allowed him to dispose of Maitland she would not be in her current predicament.⁴⁷ As Laureo correctly perceived, ulterior motives had a lot more to do with Maitland's likely course of action than a genuine concern for Bothwell's well-being.

In his own time-honoured tradition, Maitland had more than one string to his bow and made his decisive move as late as possible. Laureo, whose main concern was the recovery of Scotland to Catholicism and the creation of a climate conducive to that end, was no admirer of Maitland and had earlier placed him on his infamous 'hit-list' of August 1566.⁴⁸ Nevertheless he correctly perceived that Maitland had two likely courses of action open to him. He could genuinely support the marriage as a way of ensuring he did not incur the wrath of Bothwell or he could 'dissemble' and feign support for the marriage and dupe Bothwell into contributing to Mary's downfall. Maitland was no doubt keenly aware of his options and in typical fashion was hedging his bets waiting for the right moment before playing his hand. However, to a certain extent as regards his attitude towards Bothwell, it would appear that Maitland had his hand played for him.

There is a good deal of evidence to suggest that he was only a very reluctant supporter of Mary's third marriage. He was a conspicuous absentee from the Ainslie Bond, was subsequently kidnapped by Bothwell along with Mary and apparently threatened with his life. His life was unquestionably in a good deal more danger than Mary's at this point. Bothwell later admitted it was only through Mary's intervention that Maitland was spared.⁴⁹ Even though Maitland was a subsequent witness to the marriage contract and was one of those signing the testimony that Mary was a free agent, it is hard to believe that he was ever more than a luke-warm supporter of the match.⁵⁰ It is true he could

have deserted Mary at that point but to nail his colours rashly to the mast was not and never was to be Maitland's way. He had nothing to gain from joining an as yet unproven confederacy and at any rate compromise could yet be reached.

In a letter written with the knowledge of Mary's imprisonment in Loch Leven but not of Moray's acceptance of the regency, Laureo was able to embellish his assessment of Moray's and Maitland's conduct. In this letter dated 5 August 1567 he states that Moray had:

absented himself partly from fear of the earl of Bothwell, partly in order to be able to maintain his favour with the queen and her party whatever might happen. By this absence he has not merely been able to play the part of an innocent man averse to the late tumults but he has also managed by his pretended services to win over both sides in order to mount the throne as he had planned. What has helped him most has been the crafty counsel of the Secretary Lethington, a man believed to be so astute and unprincipled, that in all the late treasons he is thought to have thrown the stone (as they say) without seeming to move his hand it was impossible humanly speaking to expect good there while he enjoyed the Queen's favour.⁵¹

This analysis is difficult to dispute. His estimation of the motivation behind Moray's sudden determination to see 'the pairtis of France, Flanderis, or any uther pairtis beyond sey'⁵² and his expectation of a timely return at an opportune moment was incredibly and accurately prophetic. There can be no doubt Moray's exit was politically inspired. It was a masterstroke and quite possibly the smartest move of his career. It also gives the lie to Melville's disparaging but memorable description of him as an unskilled tennis player, unable to discern the flow of the game and so 'running ever efter the ball'.⁵³ On this particular occasion Moray read the game perfectly. Moray's fear of Bothwell's ascendancy was not unfounded. As early as 20 March a clear indication of his growing influence was given. The Captaincy of Edinburgh Castle was transferred apparently much to the distress of Mar and, 'sair aganes the will of the inhabitantis of Edinburgh becaus the said erle of Mar wes ane guid man and na oppressour of the saidis inhabitantis' to Sir James Cockburn of Skirling. Cockburn was a staunch supporter of Mary and had close connections with the Maitland family, but he was regarded principally as a henchman of Bothwell's.⁵⁴ Rumours too were already beginning to circulate of a marriage between Mary and Bothwell, which if true could not but mean a reduction in Moray's

influence.⁵⁵

Moray, with his record of disapproval of any suitor for his sister prejudicial to his own interests, had learnt by bitter experience to register his discontent more effectively than he had in 1565. Whether or not he was aiming at the regency at this point is not certain, but his prospects of obtaining high office were certainly enhanced by this discreet leave of absence, enabling him, as Laureo candidly put it, 'to play the part of an innocent man'. His naming of Mary as the guardian of his daughter in his will, shortly before his departure was part of this contrived effort.⁵⁶ There can be no question, as Laureo was well aware of his departure signalling an *incommunicado* break with Scotland. Although Moray, with his extensive clientage was hardly bereft of the means to prosecute his interests in his absence, Maitland was certainly one of his principal cornermen. This was clearly evident once the regency had been assumed. Throckmorton's confrontation with Moray in which he totally defended the conduct of Maitland and the confederates in his absence bears this out.⁵⁷

Laureo's belief that Maitland was the architect of Mary's downfall 'without seeming to move his hand' and that Moray was Maitland's sleeping partner in the crisis is convincing. As Laureo bitterly pointed out, Maitland was able to play his duplicitous role very well indeed. He had the benefit of many years experience of acting in such a way. Yet part of the reason why Maitland, on this occasion, was able to play his duplicitous role so well was perhaps because he had not embarked upon a pre-determined course of action. Even if the odds were stacked against him staying in Mary's service once Bothwell had cemented his ascendancy through marriage, Maitland had still to decide on his course of action. This is what is meant by the argument that Maitland's hand was to a certain extent played for him by Bothwell's determination to rule. For while Maitland had certainly made provision for such an eventuality - he had definitely been in close touch with the confederate lords - and showed no compunction in resorting to it, it was also the case, that if events had not taken such a desperate course he would have had little difficulty in continuing to serve Mary.⁵⁸

There had certainly been no discernible lack of Mary's favour towards Maitland prior to her marriage to Bothwell nor after it. The

Maitland family fortunes continued in an upward curve. The Parliament of 1567 confirmed lands granted to Sir Richard and approved his resignation of the office of Keeper of the Privy Seal to his son John.⁵⁹ As in 1559, Maitland was one of the last to defect from the Crown, waiting for a party of resistance to be clearly formed before escaping in perilous fashion. His conduct in 1567 was entirely in keeping with the finely tuned judgement that was a hallmark of his career. This is not to say Maitland was not a risk taker: power politics, as he well knew, always involved an element of chance but rather to argue that the Maitland of 1567, chastened by his part in the failed *coup d'état* of March 1566, was very much the man who had waited until the last possible moment before joining the Congregation in 1559 and had been a conspicuous absentee from the Chaseabout rebellion of 1565.

The sense of *déjà vu* which marks Maitland's conduct in 1567 is also evident when the role of Kirkcaldy of Grange is considered. Grange had been at the fore-front of the earliest efforts to procure English assistance during the Reformation crisis and amongst the first to raise the alarm at Lennox's return in 1564. He performed a similar role in the vanguard of the opposition against Mary in 1567.⁶⁰ It is his memorable report of Mary's willingness to go to the end of the world in a white petticoat so long as she had Bothwell which provides the strongest evidence for the thesis of a headstrong Mary determined on marriage and life with Bothwell.⁶¹ Unlike 1564 when Maitland rejected Grange's warnings, the civil war marks the resumption of an alliance that was to be such a striking feature of the conflict, terminated only by their deaths in 1573.

Maitland's Desertion Of Mary

On 5 June, the Diurnal reports that 'the secretare suspectand his lyff, left our souerane ladie and the court and departit to the Callendar'.⁶² Under suspicion for having favoured Bothwell, Maitland found it necessary to apologise for his characteristically late defection.⁶³ The confederacy had grown rapidly from the bond signed on 1 May, even without the support of England, to ensure that by the time of Carberry, they possessed an overwhelming majority. Part of the reason why the

confederacy arrayed against Mary and Bothwell was so strong was because their professed aims of punishing the murderers of Darnley, preserving the person of the infant prince and rescuing Mary from the 'bondage and captivity' of Bothwell could be as readily endorsed by Mary's friends as by her enemies.⁶⁴ However, with Newtonian precision the confederates' strength was to dissolve just as quickly as it had been formed.

The reason for this was simple; the assembled ranks at Carberry had hardly dispersed when the confederates' behaviour towards Mary became incompatible with their earlier proclamations. By 17 June Mary was subjected, apparently with much rigour, to a strict imprisonment in Loch Leven - a provision that was conspicuous by its absence from the pre-Carberry propaganda.⁶⁵ Given that so many had genuinely protested at Carberry with the sole purpose of removing Bothwell, it was hardly surprising that within a week the confederacy began to crumble. The crucial figure of Argyll was soon lost to the confederates and he was not to be the only deserter.⁶⁶ Maitland was in the vanguard of the movement responsible for the imprisonment and deposition of Mary, the subsequent coronation of James and the appointment of Moray as Regent which succeeded in transforming what was essentially an anti-Bothwell protest into an increasingly bitter civil war that was to plague Scotland for a further six years. It is to his principal role in the first three of those civil war years that attention will now be focused upon.⁶⁷

Maitland's Motives For Deposing Mary

As ever, it is not easy to detect with certainty Maitland's true position as regards these revolutionary developments. It is difficult to argue with the image Lauro depicted and many others have followed of Maitland as Mary's arch-enemy, cleverly plotting her downfall. The hagiographical interpretation of Maitland's son James' Apology and Skelton, his Victorian biographer, that Maitland was all along serving Mary's best interests is impossible to reconcile with the facts. The difficulty, however, is that on the one hand Maitland can be seen very much as the nucleus of the radical wing advocating the creation of a regency - later confessing that it could not have been done without

him - and on the other, even at the same time as he was advocating those severe measures, he was looked upon by Throckmorton as the moderating voice of reason capable of saving Mary's life.⁶⁸ This may well have been just another instance of Maitland's notorious ability to run diametrically opposed courses simultaneously, but another explanation is possible. While rejecting the 'cruel to be kind' theory of Maitland's admirers it does seem that the most satisfactory explanation of his conduct can be found somewhere in between the extremities of the two positions outlined above.

It is, for example, impossible to see how Maitland was serving Mary's best interests by promoting the measures that culminated in the creation of the Moray regency. Even he struggled to explain away the essential paradox that lay at the heart of his alleged loyalty to Mary and his actions. His defence of his conduct in 1571, when he stood at the head of the opposition to the King's party, makes interesting but not entirely convincing reading.⁶⁹ In mitigation, Maitland alleged that in an interview with Mary on the night of 16 June he offered her 'gif shoe wold abandon my lord Bothuel sho shuld have as thankful obedience as ever sho had sen sho come in Scotland'. He lamented that this was to no avail, 'Bot noewayis wold schoe consent to leive my Lord Bothuell; and swa shoe was put into Lochlevin'.⁷⁰ Nau's account of the same interview tends to lay stress on Maitland's inability to look Mary in the eye and on her insistence on a full parliamentary inquiry into the death of Darnley.⁷¹ Mary's own explanation emphasised her intention not to bastardise the child she was expecting by divorcing Bothwell.⁷² However, Kirkcaldy's oft quoted 'petticoat' remark of Mary's refusal to abandon Bothwell adds credence to Maitland's allegation.

If it is not too difficult to accept Maitland's version as at least a plausible account of the process that led to Mary's imprisonment then greater caution needs to be exercised before accepting his 1571 testimony regarding the setting up of the King's authority. Part of the reason for this is that it contradicts the justification he offered to Throckmorton for it in 1567.⁷³ Perhaps time had blurred Maitland's memory but in 1571 he cited the growing support of the Queen's party 'of the lord Huntlie and many utheris swa that thei wer gritter pairtie then we' as the cause, while in 1567 it was a somewhat

different picture he painted. Then, it was Maitland the moderate against a raging multitude of rampant Protestants, backed up by a buoyant General Assembly straining at the leash to spill Mary's blood. Which version is more reliable?

The problem with the 1567 version is the distinct possibility that Throckmorton was employing the same tactics he had used in 1560 to induce Elizabeth into positive action in Scotland.⁷⁴ There is no doubt that he was unhappy, as was Cecil, with the policy he was ordered to implement by Elizabeth. It may be that in presenting Maitland's course as a middle way, he was ensuring that the confederacy, containing so many good friends of England, got what they wanted. Unquestionably, there were those ardent Protestants who were urging the death penalty for Mary but even in this hour, the image of a militant Kirk triumphant does not fully square with the evidence. The June General Assembly of 1567, prorogued until July was in fact boycotted by the Hamiltons, Argyll, Huntly, Caithness, Menteith, Crawford, Rothes, Boyd, Drummond, Cathcart, Yester, Fleming, Livingston, Seton, Glamis, Gray, Oliphant, and Somerville.⁷⁵ This poor support adds weight to the 1571 version of the regency as a 'fetch' to strengthen the lords against a swelling tide of opposition rather than as a compromise salvaged against a tide of increasing hostility. It suggests that Knox and his radical colleagues were manipulated once again by more secular-minded politicians. Knox's characteristic lament of the politicians subsequent conduct, 'How they performed their promises God knows',⁷⁶ after they had obtained the support of the Assembly for the coronation of James, strengthens this view.

The differences in Maitland's two accounts, however, are perhaps not as significant as the similarities. In both there is the clear notion that the setting up of the King's authority was a temporary expedient until the time was ripe for alternative action. Of course, in 1571 when Maitland was vehemently opposed to the King's party he was duty bound to argue,

that the setting up of the Kingis authoritie was but ane fetch or shift to save us from grit inconvenientis; not that ever we meant the same shuld stand or continow as evir thereafter I schew to my lord regent willing him to compone and agrie the matter.⁷⁷

The compromise inherent in Maitland's 'platt executory', dated 10 August

1567 provides further evidence for this view. Maitland envisaged 'ane indifferent regiment ... twa of everie partie and ane neutrall' exercising control 'and swa with tyme had the moyen to haif restorit the Quene at leist to haif re-establischt hir authoritie, as materis sould haif happenit to haif fallen out in foreign cuntries'.⁷⁸ The same strains can also be found in his argument to Throckmorton that the pro-Marian measures advocated by Elizabeth would in fact be disastrous to Mary: 'there is no way to do her so much harm as to precipitate matters before they be ripe or to put these Lords in a strait'.⁷⁹ Yet it is also true that Maitland's speech to Throckmorton from which that extract is taken, smacks not so much of an apology but of defiance, not only against Elizabeth but also against Mary. It was for this reason that Maitland was to later submit a complete retraction for his part in setting up the King's authority recognising that he did: 'verie evill and ungodly ... for he can never be justlie be king sa long as his mother lives'.⁸⁰ Such rectitude was completely absent from Maitland's conduct in 1567 and gives the lie to the saintly character with, his son and Skelton have sought to endow his conduct.

There is more evidence to further dispel such a notion. If Maitland was a true Marian he would surely have thrown in his lot with those who had already voiced discontent with the confederates. As it was, he spent four days with Argyll in Doune Castle in early July trying to detach him from the embryonic Queen's party.⁸¹ Maitland was at the heart of the nascent King's Party and their attempts to strangle the Queen's party at birth which suggests he did not carry out Mary's deposition reluctantly. His and the King's party's claim that, 'yea they be so far removed from meaning her harm that they wish she were Queen of all the world' was perhaps the most outrageous claim of the entire civil war.⁸² He viewed Mary as 'a very sick person' and just as 'one sick of a vehement burning fever will refuse all things which may do him good and require all things which may do him harm ... therefore the appetite of such a person is not to be followed'.⁸³ As such, Mary's restitution, given her continued attachment to Bothwell, was a non-starter.

Once this hagiographical image of Maitland is discarded, it is possible to view the path he took in these controversies, prompted by a

liberal smattering of self-interest, as a middle way that did hold out the prospect of Mary's restitution in some form. For there are many flaws in the opposite argument of Maitland as Mary's arch-enemy. For example, despite Maitland's own efforts to weaken the Queen's party, there was much truth in his disparaging remarks of their capacity and inclination to intervene effectively on Mary's behalf. This draws immediate attention to a question that will be examined later, as to how far the Queen's and King's parties can be regarded as being primarily concerned with the best interests of Mary and James respectively. Maitland's opinion of the Hamiltons at this time is particularly instructive in this respect. In August 1567 he warned Throckmorton: 'the Hamiltons and such as you practice withall, will take your silver and laugh you to scorn when you have done and agree with us'. This is exactly what happened the following month.⁸⁴ He argued vehemently with Throckmorton over the foolishness of Elizabeth's willingness to support the Queen's Party. He confirmed what Throckmorton had heard earlier from Tullibardine that Archbishop Hamilton, Gavin Hamilton, commendator of Kilwinning, and Huntly had all sent messages to the effect that if the confederate lords would agree to execute Mary, then they and all their associates would, 'come and conjogne with us within these two days'.⁸⁵ Tullibardine certainly had the measure of the Hamiltons' ambitions when he explained their enthusiasm for Mary's death, 'For she beinge taken awaye theye accompt but the lytle kinge betwixt them and home, which maye dye'.⁸⁶

Similarly, there is evidence to support the view that Maitland was sincere in his attitude regarding Mary's restitution, once she had recovered from her feverish attachment to Bothwell and the prospects of his return decreased. Claude Nau, by no means an admirer of Maitland, relates that Maitland delivered to Mary in Loch Leven, a gold token, enamelled with Aesop's fable of the lion enclosed in a net being freed by a mouse with the Italian legend engraved upon it, 'A chi basta l'animo, non mancano le forze'.⁸⁷ This illustrates Maitland's sympathy for Mary and provides incidental proof of the Italian literary influences of the court. While Throckmorton's testimony needs to be treated cautiously it is possible that his depiction of the four possible courses of action open to the confederates in 1567 is

accurate.⁸⁸ The first of these was Mary's restoration with certain guarantees and conditions for the surety of the confederate lords, the punishment of the Darnley murderers, the preservation of the Prince, and the establishment of the religion and the divorce of Mary and Bothwell. Apparently, only Maitland 'amongst all the rest of Counsellours which be here' favoured this option, accompanied 'with a very slender company' of men outwith the privy council. The second measure, apparently approved by Athol and Morton, was that Mary should suffer permanent exile from the realm after she had resigned all authority to her son and appointed a council to rule in his name. The third, supported by a majority of the 'Counsellors and a great many others' was that Mary should be tried, and condemned to life imprisonment and her son crowned in her stead. The last option differed subtly from the third in that instead of imprisonment, Mary should suffer death. This option, too, was supported by 'a great number'. According to Throckmorton, Maitland was in a clear minority.

Perhaps the key to understanding Maitland's conduct at this time is to be found in his use of the French proverb, *il perd le jeu qui laisse la partie*, which loosely translates as, he loses the game who leaves the side.⁸⁹ Maitland was arguably true to this all his career. He always felt he had more chance of influencing the course of events from a position of strength on the inside rather than from the outside. On this occasion he was to discover he had over-estimated his own influence and under-estimated the powers and ambitions of others. The story of Moray's regency is very much Maitland's realisation of this. The direct consequence was the gradual and mutual alienation of Moray and Maitland and the corresponding rehabilitation of Maitland into Mary's service.

Maitland And England

Before turning to the Moray regency, one final aspect of the deposition saga must be acknowledged. This is Maitland's supreme handling of the question of English intervention. Mary's fall provided welcome respite for England, which, along with the rest of Protestant Europe, was confronted with the alarming prospect of a seemingly inexorable Alva marching triumphantly across Europe from Italy to the Netherlands.

Despite the obvious benefits to England, Elizabeth voiced her grave displeasure with the confederates and demanded Mary's immediate restoration.⁹⁰ Elizabeth was undoubtedly glad to witness the collapse of Mary's powerful position which had seemed so threatening at the turn of the year, but her imprisonment and the prospect of her deposition were just too much for her legitimist sensibilities to countenance. Her expressions of support for Mary at this time were perhaps sincere, although over the course of many years to come Mary was to rue the bitter irony of Elizabeth's consoling words of July 1567 that, 'prosperity provideth but adversity proveth friends'.⁹¹ Elizabeth, instead of supporting the confederates, reminded them of that most troublesome scriptural reference for sixteenth-century rebels, Romans chapter 13:1-5, detailing St Paul's insistence on obedience to 'potestatibus supereminentioribus gladium gestantibus'.⁹² This was probably motivated not so much by a reverential respect for God's divine law but by an acute fear of the dangerous example she would be giving to her own potentially rebellious subjects with the conquering Alva so near.

Despite this sympathy for Mary, Elizabeth was not above making political capital out of the situation by insisting that the young Prince be sent for safe-keeping to England.⁹³ This was arguably the only aspect of her Scottish policy that had the complete backing of her council. Cecil, Throckmorton, Bedford, Leicester and Bacon all shared Elizabeth's desire to have James in England but to a man they disapproved of her handling of the Scottish crisis.⁹⁴ They were not unaware of the great opportunity the rebellion presented England to settle Anglo-Scottish relations permanently along favourable, godly, Protestant lines and preferred a far more conciliatory policy towards the confederate lords. Cecil complained in August 1567: 'Very sorry I am to behold the loss of vii or viii years negotiation with Scotland and now to suffer a divorce betwixt this realm and that'.⁹⁵ To a large extent, he and his colleagues were powerless in the face of Elizabeth's determination to follow her own policy in this matter. Instead they were faced with the difficult task of presenting Elizabeth's opposition in as palatable a form as possible to the Scots. Maitland treated their overtures scornfully.

Maitland was clearly suspicious of the intent behind Elizabeth's policy. He was convinced that if the King's party was foolish enough to follow it through then Elizabeth would in turn 'leave them in the bryers'.⁹⁶ As far as Mary's freedom was concerned Maitland told the English that there was, 'nothyng in your mouthes but lybertye and nothyng less in your hartes'.⁹⁷ If Elizabeth was genuine in her concern for Mary she should forbear from her aggressive posturings demanding Mary's immediate release: nothing, according to Maitland was more likely to 'put the Quene my soveraygne in greate jeopardy of her lyffe and therefore there is non other waye for the presente to do her good but to geve place and to use myldnes'.⁹⁸ Maitland could scarcely believe Elizabeth's effrontery in requesting to have custody of James without offering to recognise him as her successor. The only ground on which Maitland was prepared to countenance such a move was with a cast-iron parliamentary guarantee of James', 'successyon to the crown of Englaunde, for faulte of issue of the Quenes majesties bodye'. To have done so without such a guarantee was as safe, 'as thoose which comyt the sheepe to be kept by the wolves!', but with the security of an Act of Parliament, 'the prynce shalbe as deare to the people of Englaunde as to the people of Scotlande and thone wylbe as carefull for hys preservacyon as the other'.⁹⁹

As time went by and there was no perceived let up in Elizabeth's pressure, Maitland became more forceful in his refusal of her requests. He angrily rejected Elizabeth's manifesto which called for Mary's liberation, reminding her that she was not the sovereign of Scotland and had no authority to command the Scots as 'another Prince's subjects' to do anything. If Elizabeth spent as much time and effort procuring the safety of the Lords, the Prince, the pursuit of Bothwell and his fellow murderers as she had to procure Mary's liberty then the King's party might alter their judgement of her intentions: 'Will the Queen your mistress arm two or three ships to apprehend Bothwell? Pay a thousand soldiers for a time to reduce all the forts of this Realm to the King's obedience?'.¹⁰⁰ He knew only too well that this rhetorical goading of Throckmorton would not be answered by Elizabeth's embracement of the action he was advocating. Yet, throughout this crisis, Maitland's great concern was not so much that Elizabeth would

not assist the confederates but rather that she would actively oppose them. He was anxious to ensure that:

yf you wyll doo us no good, do us no harme and we wyll provyde for ourselffes ...Yt were better for us yow wolde lett us alone, then neither to do us nor your selffes good, as I feare in the ende yt will prove'.¹⁰¹

In his contemptuous dismissal of Elizabeth's ultimate threat of war, Maitland made it profoundly clear that the confederates had budgeted for England's active opposition. It was in his treatment of this possibility that Maitland introduced a third dimension into the proceedings, the French factor. In so doing, the central importance of the eternal triangular relationship of England, Scotland and France throughout the course of the Scottish civil war can be perceived. From 1567 through to the bitter end of 1573, the tactic of playing England against France and vice versa can be seen in operation. In July 1567, Maitland was in majestic form positively toying with England. As early as 1 July, Maitland made clear to Cecil that his own preference was for the preservation of the amity with England. His own commitment to this could not be impugned being, 'of a long tyme a procuror of the union of this isle in one mynd' and he assured Cecil that, 'the matter of Lethe... is not yet passed the remembrance of some of us'. He promised that he would 'never weary' in his devotion to England, 'till you utterly reject us which I trust will never happen in my time'. However, Maitland reminded Cecil that he himself, 'had no cause to mislike of France for they have done me more honour than many of my own country of greater degree'. He gently warned Cecil that if England did not play their part in the current crisis, they would accept the generous offers they had already received from France but were holding back from out of a preference for English support: 'which yet we must needs do if the Quenes Majesty will not condescend to support these nobles'.¹⁰²

This tactic of proceeding *pari passu* with England and France, as Maitland put it, was simple.¹⁰³ It was designed to frighten England into supporting the confederates out of fear of France. As Elizabeth's opposition became clearer so too did the force of Maitland's argument. In a significant re-interpretation of the 'matter of Lethe', Maitland now argued that the Scots were not indebted to Elizabeth, for: 'we think that the quenes majesty by the opinion of her owne counsell and all the

worlde tooke as great benefit by that change as the realm of Scotland did or any particular person.¹⁰⁴ Far fresher in the memory of the Scots was the disappointment of Elizabeth's conduct during the Chaseabout raid and in the aftermath of the failed coup of March 1566 when they, 'founde but coolde favour at the Quenes Majestie hands'.¹⁰⁵ If this was added to Elizabeth's present hostility then it was clear that they had no choice but to accept the French offers. It was the comfort of the auld alliance that enabled Maitland to so boldly dismiss Elizabeth's threat of war:

Your wars are not unknown to us you will burn our Borders we will do the like to yours; and whensoever you invade us we are sure France will aid us, for their league standeth fast, and they are bound by their league to defend us.¹⁰⁶

The missions of Villeroy and de Lignerolles added weight to Maitland's threats, demonstrating to Elizabeth that Catherine de Medici was perfectly happy to see the auld alliance operate at Mary's expense.¹⁰⁷

It was galling for Throckmorton and his like-minded colleagues to see the French pursue the policy they wished to follow and to watch Elizabeth facilitate the re-establishment of French influence in Scotland. Throckmorton, fully aware of the futility of Elizabeth's policy, was desperate to depart out of Scotland. He bemoaned to Cecil, Maitland's ability to 'see thoroughly into your doings and understand such things and speeches as I wish had never come into their knowledge'.¹⁰⁸ Unless Elizabeth altered her policy it was, as he put it, 'lost money, lost labour and lost time that is spent here'.¹⁰⁹ If she did not, in Maitland's own words her only accomplishment would be, 'to dryve us faster to Frawnce then we have desyre to ronne'.¹¹⁰ This, Maitland knew, Elizabeth could never want despite her utterances to the contrary. Even if she had the inclination to carry out her threats - which must be doubted - she was really in no position either financially or politically to wage the military campaign that would be required to fulfil her objectives. Moray probably hit the mark exactly with his later remark that Elizabeth was more pleased with the state of affairs in Scotland than she admitted.¹¹¹ The gradual softening of her attitude as Moray's regency developed suggests he was right.

The Moray Regency

In August 1567 Maitland was one of Moray's chief supporters. Moray, too, was supportive of Maitland. On 21 August they combined to give Throckmorton short shrift with Moray's total endorsement of Maitland's argument, 'Sir Nicholas truly me thinketh you have heard reason at the laird of Lethington's hand'.¹¹² To all intents and purposes, this seems the perfect vindication of Laureo's assessment of the Maitland-Moray alliance in this crisis. There was certainly no discernible wane in the Maitlands' family fortunes during these early days of the Moray regency. On the contrary all the evidence shows that their star continued to be in the ascendant.¹¹³ Maitland no doubt welcomed Moray's early success in coming to terms with the rump of the Queen's party in September 1567. Huntly, Argyll, Herries, Kilwinning and Boyd all offered their allegiance to the King at that point.¹¹⁴ Maitland's own testament states that within the first month of the regency he began urging on Moray the need for compromise with Mary.¹¹⁵ It was probably this recent submission, together with the diminishing threat of Bothwell, that was responsible for the timing of his attempts at conciliation. Moray, however, did not share Maitland's desire for compromise and it was this that, lay at the heart of their increasing disparity.

This did not of course in the early months of the regency prevent Maitland playing a prominent part in the government. Differences of opinion, policy and principle had never proved insurmountable hurdles to Maitland's Secretariat before and he was not about to develop scruples now. In the same way as he had served Mary of Guise and Mary Stewart he now served James Stewart. All of them discovered to their cost Maitland's penchant for working for the opposition from the inside. As such, Maitland gave a vintage performance as Speaker in the parliament of December 1567, with which many unsurprisingly have drawn parallels to his one seven years earlier in the Reformation parliament.¹¹⁶ Once again acting in place of the Chancellor, Maitland praised Moray voluminously, as the fit instrument chosen to protect the commonwealth and religion and recounted the amazing, bloodless triumph of Protestantism 'within the space of less than eight or nine years'. Maitland reminded the parliament that it was:

a peculiar benefit granted only to the realm of Scotland that the true religion has obtained a free course universally through the

whole realm and yet not a Scotchman's blood shed! With what nation on the earth has God dealt so mercifully? Consider the progress of religion from time to time in other countries - Germany, Denmark, France, Flanders, or where you please, you shall find the lives of many thousands spent before they could purchase the least part of that liberty whereunto we have attained as it were sleeping upon down coddles.

If this was a back-handed compliment to the tolerance of Mary's personal reign, it was accompanied by the the re-enactment of the legislation that Mary had steadfastly refused to ratify, the Acts of the Reformation parliament. Maitland's performance in this parliament is the epitome of his manipulation of religion for political ends. He had earlier attended the July General Assembly and subscribed the radical and extensive demands, including a request for the full patrimony of the Catholic Church, which were presented to the Parliament.¹¹⁷ This was to be the reward for the Kirk's support of the King's party. Despite the ratification of the 1560 legislation, the Kirk's more extreme demands were not met. The setting up of a Parliamentary commission to consider various aspects of the Kirk's jurisdiction and to report to the next Parliament appears to have successfully fudged the issue. The fact that this commission, which included Maitland and Knox, did not report to the next Parliament suggests, as Knox himself lamented, that the Kirk had once again been manipulated for secular ends.¹¹⁸

Maitland's parliamentary performance was not a reliable portent for his future relationship with the Kirk nor with Moray. 1568 was to reveal a major rift between Moray and Maitland, a rift which manifested itself in his increasing exclusion from the government. It was a development that did not escape the attention of English observers. In a letter to James Melville, Throckmorton put this down to a personality clash. His testimony, which is quoted extensively below is a valuable and highly instructive insight to the characters of both men.

Following the affection I have to the Regent and to Lethington particularly and generally to all your kingdom of Scotland desiring always happy success in your affairs I am constrained to say one small word upon the divisions of some among you which I pray you to take in good part. That is to say that in this country every one thinks Lethington is a man of great wisdom and counsel very capable and very worthy to manage the affairs of a kingdom by which it appears to me that the Regent does himself great wrong in suffering the absence of such a man from his company. And on the other hand I know that Lethington has such an opinion of his own sufficiency that he thinks his sole counsel ought to be

followed in all things and thinks himself worthy of being seen and recognised over all which is the cause of the division. Now it seems to me that it would be well done to recognise each according to his merits. But also that seeing all the Regent's affairs are directly founded on the word of God and that according to it he manages and effects all his actions it is not only reasonable but expedient and necessary that all and each of you obey him and conform to his will, knowing the zeal and intention of the man. That is it how appears to me but I remit the rest to your better judgement.¹¹⁹

It is difficult to argue with Throckmorton's description of Maitland's character but as an assessment of his drift apart from Moray it is somewhat inadequate. Throckmorton seems to forget that Maitland and Moray had hitherto worked successfully together for almost ten years. It was a strange time for personalities to clash suddenly. It is more likely that the problem stemmed from a clash of policies rather than personalities. Maitland's more lenient attitude towards Mary was beginning to contrast sharply with the firmer policy of Moray, who can be increasingly identified with the hard-line Morton at this point. Indeed one of the most conspicuous features of the regency is the development of a powerful Moray-Morton axis. This should not come as too much of a surprise. If Moray never forgot who his father was, he was not exactly amnesic as regards his maternal provenance. He had a natural and strong affinity with the Douglasses, which perhaps explains why the days of the Moray regency were halcyon ones for Morton and the house of Douglas as a whole. Despite being perhaps a lot more guilty than most, Morton had nothing to fear in a trial much less a conviction for any part in the Darnley murder at this time - unlike many other, arguably less guilty suspects.¹²⁰

Part of the difficulty in discerning the truth of the Maitland-Moray split revolves around the myth of the 'Good Regent'. Buchanan's 400 year-old portrait of Moray, lovingly preserved in our own times by Professor Lee is perhaps not the most accurate and realistic image of James Stewart.¹²¹ Despite Moray's own utterances to the contrary there is not a surfeit of evidence supporting the notion of him as the reluctant ruler. Such admissions hardly square with his steadfast opposition at any attempts to restore Mary.¹²² With Morton at his side, it is hardly surprising. They both had too much to lose.

The drift apart of Maitland and Moray was discernible before Mary's

escape from Loch Leven, yet one should not be too surprised to find Maitland on Moray's side at Langside.¹²³ It was a decision entirely in keeping with Maitland's character. Mary's haste or the Hamiltons' desire for military confrontation was out of step with Maitland's strategy and although a servant of his is to be found amongst Mary's troops at Langside, he himself was anxious to finish on the winning side.¹²⁴ Nau and Melville tell of a message, apparently sent by Mary to Maitland, which stated her readiness upon his intervention 'to temporise and come to some composition' but which he never received.¹²⁵ The Hamiltons' enthusiastic advance to Langside ensured that the prospects of such a 'composition' were remote. If hasty confrontation could have been avoided, it does seem likely that Maitland would have sought to intervene on Mary's behalf to negotiate a settlement. As it was, Maitland, already under suspicion from Moray, had too much to lose by a hasty adhesion to an uncertain cause. Consequently, in the weeks after Langside he was conspicuous in his support of the Moray regime, writing to Cecil and Throckmorton to that effect.¹²⁶

Despite this conciliatory appearance, confrontation was becoming increasingly likely. In July 1568 Sir Francis Knollys reported Mary's confidence that Maitland was busy ~~manoeuvring~~ manoeuvring to her advantage.¹²⁷ In the Parliament of August 1568, prior to the York conference, Maitland successfully opposed the proposed blanket forfeitures against the Queen's party favoured by Moray.¹²⁸ From this point onwards, Maitland becomes openly referred to as the 'necessary evil' by Moray and it was on these grounds that Maitland was reluctantly included in his party that travelled to York, then Westminster and finally to Hampton Court for the shambles of a trial of Mary Stewart.¹²⁹

Mary's Trial And The Norfolk Marriage Proposal

If Maitland's chicanery in England was anything to go by, Moray's fear as to the damage he could have caused in Scotland in his absence was justified.¹³⁰ The whole episode is perhaps the most difficult to discern of all the intrigues of Maitland's political career. The confusion is compounded by the Casket letters and the Norfolk marriage and it is doubtful whether a detailed analysis here of the events surrounding Mary's trial from October 1568 to January 1569 can add constructively

to a better understanding of the controversy. These months however exposed the divergent policies of Moray and Maitland. In theory the Regent's representative, Maitland clearly acted in closer concert with the Queen's commissioners than the King's, culminating in his masterplan of the Norfolk marriage.¹³¹ It was a scheme that satisfied the conditions Maitland believed necessary for Mary's restitution and his own desire for the ultimate union of the realms. His complex strategy was not to come to fruition at this time and the inconclusive trial closed without enhancing the personal prospects of Mary. While many have argued that they were not diminished either, the trial had undoubtedly been more of a success for Moray. He was able to return to Scotland tacitly recognised as Regent by Elizabeth and with a subsidy of £5000 to keep him company.¹³²

It was perhaps the continued uncertainty of the situation, particularly as regards Elizabeth's intentions towards Mary, compounded by England's ever precarious international status, that explains why the Maitland-Moray rift did not become final until July 1569. Until then, Maitland continued on his not unfamiliar footing of scheming from within but with a low profile. A letter of 22 March 1569 shows he had scarcely been in the Regent's company since their return north of the border.¹³³ However, Maitland still gave Cecil the impression of supporting Moray, expressing optimism tempered with well-founded caution after the rapprochement with the Queen's party of 13 March.¹³⁴ Maitland, too, must have been encouraged by the continuance of good relations between Norfolk and Moray which boded well for Maitland's hopes of the former's marriage with Mary.¹³⁵ It was this issue which was to make their breach final.

Support for the proposal in England had grown to a remarkable extent. The Diurnal reports that in May 1569, Lord Boyd, Mary's commissioner, arrived:

fra the quene and counsale of Inghland with writingis and ane commissioun to desyre my lord regent and his counsale that he mycht actioun tweching devorce betuix James erle Bothuill and the quenis majestie and to haue thair consentis that the quenis grace mycht be maryijit upon the erle of Northfolk and that hir majestie might be restorit to hir croun and realme'.¹³⁶

The Diurnal's accuracy must be questioned here. While Boyd unquestionably had the support of many English privy councillors, it is

almost inconceivable that Elizabeth ever gave official backing to the Norfolk marriage. It also needs to be acknowledged that while Boyd's commission was debated at a convention in Perth in July, no public vote or debate was heard on the Norfolk marriage, although it was reasonably clear to all that this would be the consequence of granting Mary's divorce. It was this convention that sealed the split between Maitland and the Regent.¹³⁷

The convention voted by forty votes to nine against Mary's divorce, a conclusive proof of the changed agenda from Carberry when the separation of Mary from Bothwell was the protesters' principal aim. Maitland, his brother John and Tullibardine, all officials of the Moray regime were amongst the nine and Maitland facetiously congratulated the assembly on their concern for Mary's domestic happiness.¹³⁸ It has been argued that the remarkable division the vote showed in Moray's government was an attractive feature illustrating a preference for debate rather than violence.¹³⁹ The days of reasoned debate were, however, numbered and Moray was to act ruthlessly to heal the alarming divisions in his administration. Maitland was his principal target.

The Final Collapse Of The Moray-Maitland Alliance

Maitland could now be clearly numbered amongst the ranks of the Queen's men, as his correspondence and actions from this point show. Following the disappointment of the convention, Maitland passed to Dunkeld, where, while supposedly hunting with Athol, Crawford, Ruthven, Seton and Ogilvy he was rumoured to be hatching a plot to accomplish Mary's restoration and 'the wraiking of James erle of Morton and his assistaris'.¹⁴⁰ If the rumours were true he was to have no time to implement them. Moray tricked Maitland into attending a convention at Stirling on 2 September on the grounds of discussing Dunfermline's proposed mission to Elizabeth to explain the recent proceedings at Perth.¹⁴¹ On his arrival he was placed under arrest for his part in the Darnley murder. There was no doubt at the time that this was a pre-emptive strike 'lang of befoir consaivit be my lord regent, the erle of Mortoun and thair assistaris' out of fear of the alleged Dunkeld conspiracy 'quilk wald have bene thair destructioun in cace the same wer performed'.¹⁴² Melville states that the death of Maitland was

Moray's aim.¹⁴³ Morton and Moray both knew that Maitland was now too dangerous an enemy to be left to his own devices.

Maitland's own detailed account of this episode makes interesting reading.¹⁴⁴ It can be found in a long letter to Norfolk, dated 16 September 1569. That Maitland should have communicated at such length with Norfolk shows how deeply he was involved with the intrigue to secure Norfolk's marriage with Mary and her own restitution. Maitland told how he had known from April 1569 that 'Morton, Mar, Glencairn, and Sempill had made a ligue ... and that they would procure my lord regentis consent to my ondoing eyther by one meane or another'. He alleged that they had sought his overthrow at the Perth convention but had been disappointed. In graphic terms, Maitland told of his assurance from Moray the night before he placed him under strict arrest, 'that I shold never be in danger whear he wer'. In characteristic style Maitland lamented, 'I am assured a christen man amongst the turkes wald not have bene so crewlly used' but he rejoiced to say that, although 'never manis lyfe I think wes in greater hasard then myne hes bene', he had been 'miraculously preserved'. As a result he was now in a stronger position than ever before to intervene effectively on Mary's behalf. 'Therefore I pray your grace advertise me with spede what resolution yow there do take for the quene that I may use soch meanes as I have here to serve the propos'¹⁴⁵.

Maitland's Resurgence

Maitland's escape was indeed nothing short of miraculous. On 9 September 1569, Kirkcaldy of Grange successfully duped Alexander Hume into allowing Maitland's removal from Moray's appointed custody in David Forrester's house to the sanctuary of Edinburgh Castle.¹⁴⁶ The reaction of the King's party does not require much imagination but Maitland probably judged it accurately when he said, 'thay ar desperate and do sore repent themselff that I do lyve. Sure I am they slepe onsoundly and some off them shall have caus to do'.¹⁴⁷ The Castle was fast becoming a safe haven for Marian supporters and the prospect of Maitland's collusion with Kirkcaldy's other guests of a Marian persuasion, Châtelherault and Herries, was not an attractive one for Moray.¹⁴⁸ The consort of such company probably contributed to

Maitland's success in his next and final clash with the Regent, his Day of Law on 21 November.¹⁴⁹ Maitland had successfully mobilised such a force of Hamiltons together with supporters of Lord Hume, Athol and Huntly that Moray was angrily forced to prorogue the trial. It was the perfect vindication of Maitland's belief that, 'at home in my countrey I thocht myselff able ynough with the assistance of my frendis to resist all the forces they wer able to mak'.¹⁵⁰ The impressive array of Maitland's legal counsel is also worth noting. He was represented by his brother John, his cousin Robert, a commissary of Edinburgh and Dean of Aberdeen, plus the distinguished Edinburgh Protestant advocate, Clement Little.¹⁵¹ Far from signalling the end of Maitland as a political force, his Day of Law signalled the major turning-point in his own and the fortunes of the Queen's party in Scotland. The Regent's authority had been publicly undermined by a popular show of support for Maitland and his pro-Marian policy. There could not have been a clearer warning to Moray and Morton.

The Northern Rebellion

It was at this point that a further element was thrown into the Scottish equation by the Northern Rebellion in England. Inevitably this involved the Scots. This rebellion can be interpreted as a means of salvation for Moray as it forced Elizabeth to adopt a far more favourable policy towards him but in truth it was very much a double-edged sword for Moray.¹⁵² It placed him an invidious position. He desperately needed Elizabeth's support but could only get that if he proved his worth by successfully prosecuting her rebels, thereby increasing the hostility with which he was regarded in Scotland. His seizure of the earl of Northumberland was the perfect illustration of his dilemma. If he had not arrested Northumberland he would have been damned by Elizabeth yet, because he did arrest the earl, he was condemned by a large majority of his own countrymen for breaking the unwritten law of giving succour to political refugees.¹⁵³ In contrast, Maitland was able to capitalise on the Regent's dilemma. He was able to fuel the popular discontent at the seizure of Northumberland but at the same time, by playing as he had done so often in the past, a timely, godly card, he avoided the unnecessary enmity of the Kirk. Maitland

wisely distanced himself from the Catholic aspect of the rebellion and called for a universal bond amongst the Scottish nobility against the papists of England and Scotland.¹⁵⁴

The Regent was flummoxed. His instructions for Elphinstone on his mission to the English court in January 1570 are panic-ridden.¹⁵⁵ It is hard not to feel sympathy for Moray fighting for his political life and so dependent on the interminably difficult Elizabeth. In that last month of his life Moray was faced with arguably the biggest task of his political career. Whether or not he would have triumphed against the growing momentum of the Queen's party with Maitland increasingly at the helm must remain unknown. What is certain is that his assassination increased the prospects of victory for the Queen's party to their highest point since the conflict began. This was certainly the opinion of the anonymous historian of the Historie and Life of King James The Sext.¹⁵⁶ Maitland ensured that he and they benefited to the full from the assassination of 23 January 1570.¹⁵⁷

Moray's death marked the end of a distinct phase not only of the civil war but of Maitland's career too. The two men who had shared many triumphs over the years - most recently the creation of Moray as Regent - parted as bitter enemies. Maitland was not hypocritical in this respect and in the aftermath of Moray's death he refused to pretend that they were anything other than adversaries. The beginning of 1570 marks the end of the most tortuous phase of Maitland's career. The sheer complexity of his allegiance is illustrated by the fact that he fulfils Professor Donaldson's criteria for rump membership of both the Queen's and the King's parties. He was present at the Court of Session on 12 May to declare that in marrying Bothwell she was a free agent; was a witness to the marriage contract of 14 May and although it is not clear whether he was actually present at the marriage on 15 May he was one of the privy councillors who attended the meetings from 17 to 22 May. His equally impressive King's party credentials are revealed by the fact that he witnessed the coronation of James on 25 July and the acceptance by Moray of the regency on 22 August. Maitland is the only man to appear on all these lists. From 1570, however, his allegiance was to be firmly with the Queen's party.¹⁵⁸ He had passed the nadir of his relations with Mary and was to steadily rise once more

in her credit and affection over the next three years. Conversely, his relations with that other sovereign and realm with whom he was so deeply involved were to suffer an equal and opposite reaction.

NOTES

- 1 For details of James' coronation at this unusual venue, Donaldson, AQM, 85-6 and Tytler, History, vi, 453-4.
- 2 M. Lynch, 'Queen Mary's Triumph: the baptismal celebrations at Stirling in December 1566.' 1-21.
- 3 Bannatyne, Memorials, 130.
- 4 Keith, History, ii, 490-4 for Mary's letter to Elizabeth and her instructions to Bedford. For Maitland's letter there are a number of copies but the most accesible is in J.P.Collier, (ed.), The Egerton Papers, (Camden Society, 1840), 41-49.
- 5 SP, v, 295.
- 6 CSP Scot, ii, 93.
- 7 Robertson Inventaires, xlix, note 3.
- 8 See the itinerary in Hay-Fleming's, Mary, 540 and E.M. Furgol's 'Progresses', microfiche, C3 -D3.
- 9 Fraser, Mary, 343.
- 10 Melville had been in London since February 1566, Melville, Memoirs, 147 but travelled between the two realms constantly for the remaining part of the year., CSP Scot, ii, 272, 280-1, 292, see *ibid.*, ii, 304 for Melville's efforts to redress the prejudices recently voiced against Mary's claim to the succession at Lincoln's Inn.
- 11 This will be discussed later in this chapter in the context of the immediate post-Darnley era.
- 12 Lynch, 'Triumph', 20; J. Dawson, 'Two kingdoms or three?' 125-6.
- 13 Keith, History, ii, 491-4.
- 14 *ibid.*, ii, 491-4.
- 15 Apart from Maitland's modified stance on Henry VIII's will they were all arguments he had used at some point during 1561-5. All the following quotations if not stated otherwise are from Egerton Papers, 41-9.
- 16 Compare this with the Arran marriage proposal in Addit., 23,109 f4.
- 17 Egerton Papers, 49, for Rookeby's activities see Nau, Memorials, 25-7.
- 18 M. Levine, The Early Elizabethan Succession Question, chapter 6.
- 19 For expressions of the international outrage, see, Keith, History i, cii-cv, CSP Scot, ii, 316, CSPF viii, 198.
- 20 Knox, History, ii, 203.
- 21 Hay-Fleming, Mary, 137, Knox, Works, ii, 533-4, Keith, History, ii, 448-52.
- 22 Keith, History, ii, 453-62.
- 23 Lynch, 'Triumph', 5.
- 24 Keith, History, iii, 290-94.

- 25 *ibid.*, iii, 293.
- 26 *ibid.*, ii, 495. Morton's confession is in Bannatyne Memorials, 317-22, whilst Archie's is in Robertson, History, iii, 412.
- 27 SP, v, 298.
- 28 RMS, iv, no 1765.
- 29 CSP Scot, ii, 312.
- 30 Nau, Memoirs, 35.
- 31 R.H. Mahon, The Tragedy of Kirk O' Field, (Cambridge, 1930), 45-6, tells of Maitland penning the official version sent by the privy council to France, on 11 February which suggests he was close by: Fraser, Mary, 355, states that Maitland was not in Edinburgh on the night of the murder but a letter from Cockburn to Cecil of 19 March - quoted in Mahon, Tragedy, 96, states that Maitland and Bastien were responsible for saving her life on the night of the murder.
- 32 BL Sloane MS, 3199, f31 quoted in Mahon, Tragedy, 45-46.
- 33 J.Anderson, (ed) Collections Relating to the History of Mary Queen of Scots, i 24; Fraser, Mary, chapter 17, 566ff is as good an account as any but a shade too sentimental.
- 34 RMS, iv, nos, 437-453 was slightly more than the number of entries for the same three month period between February - May 1566, nos 414-426. There is no breach in TA, xii, whilst ER, xix, 330 explains the later presentation of the accounts there.
- 35 RPC, i, 511-12.
- 36 RPC, i, 511.
- 37 *ibid.*, i, 509.
- 38 R.Gore-Brown, Lord Bothwell and Mary Queen of Scots, (New York 1937) provides a hagiographical account of Bothwell's talents and career but at least draws attention to the more positive side of the great maverick.
- 39 CSP Scot, ii, 318-9, SP 52.13.76.
- 40 See Maitland's letter to Cecil of 13 March 1567 which mentions Melville's continued travails, CSP Scot, ii, 318-19, SP 52.13.76.
- 41 SP 52.13.76.
- 42 SP 52.13.76.
- 43 See my chapter 3 on Maitland's performance in the Reformation parliament. Maitland's role in the parliament of 1567 will be discussed in due course in this chapter.
- 44 This was the most firmly Protestant legislation Mary ever passed, APS, ii, 545.
- 45 The controversial Ainslie Bond can be found in Keith, History ii, 562-5. See, Diurnal, 108 for his acquittal of the Darnley murder.
- 46 Papal Negs, 391.
- 47 This has been noted earlier in the thesis. For the clashes over Haddington abbey see Donaldson, 'Cistercian Nunnery of Haddington', *passim*; CSPF, ix, 51 for Bothwell's views on Maitland and Cecil.
- 48 Papal Negs, 271.
- 49 CSPF ix 51.
- 50 Keith, History ii, 579-80, 582.
- 51 Papal Negs, 401-2.
- 52 Diurnal, 107.
- 53 Melville, Memoirs, 222.
- 54 Diurnal, 107.
- 55 CSPF, viii, 193.

- 56 Reg Hon Morton, i, 17.
- 57 Keith, History, ii, 741-47.
- 58 CSPF, viii, 223-225, 245.
- 59 APS II, 545.
- 60 CSP Scot, ii, 322, 24, 26, 27.
- 61 ibid., 322.
- 62 Diurnal, 112.
- 63 CSP Scot, ii, 366, SP 52.13.70.
- 64 Donaldson, AQM, 81.
- 65 ibid., 85-6 for the best discussion of this.
- 66 CSP Scot, ii, 376 denotes Argyll's desertion and league with the Hamiltons and Huntly.
- 67 Maitland did not actually sign the order committing Mary to Lochleven but he did not oppose it. He was present at the coronation of James and witnessed Moray's acceptance of the regency. RPC, i, 537, 548.
- 68 The apology for William Maitland of Lethington, (SHS, Misc., ii,) written by Maitland's son in 1610, and Skelton, Maitland, give a complimentary but unrealistic picture of Maitland's motivations. Throckmorton's views of Maitland are clear in Keith, History, ii, 684-86, CSP Scot, ii, 353, 359 and SP 52.14.20, SP 52.14.26.
- 69 Bannatyne, Memorials, 126-32.
- 70 ibid., 126.
- 71 Nau, Memorials, 51.
- 72 CSP Scot, ii, 355.
- 73 Compare the account in Bannatyne with Throckmorton's correspondence from his encounters with Maitland in 1567. Keith, History ii, 684-86, CSP Scot, 1563-69, 355, 358-9, SP 52.14.28.
- 74 Read, Cecil, 162, for Throckmorton's tactics during the Reformation Crisis.
- 75 BUK, i, 94-6.
- 76 Knox, History, ii, 214.
- 77 Bannatyne, Memorials, 127.
- 78 Keith, History, iii, app., ii, 313-4.
- 79 ibid., ii, 742.
- 80 Bannatyne, Memorials, 127.
- 81 SP 52.14.14. and CSP Scot ii, 347. It was probably by virtue of his close friendship with Colin Campbell of Glenorchy that Maitland was selected for the task of detaching Argyll from the Queen's party.
- 82 Keith, History ii, 742.
- 83 ibid., ii, 742.
- 84 ibid., ii, 743. The Hamiltons, Huntly, Herries, Argyll and Boyd came into the King's party fold in September, CSP Scot, ii, 394.
- 85 ibid., ii, 373-4.
- 86 ibid., ii, 374.
- 87 Nau, Memorials, 58-9, which loosely translates as he who has spirit enough will not want force.
- 88 Keith, History, ii, 684-6.
- 89 Russell, Maitland, 340, CSP Scot, ii, 358-9.
- 90 Elizabeth's instructions to Throckmorton and her correspondence with him bear this out. CSP Scot, ii, 357, 366, 373, and Keith, History ii, 667-76, 702-6.
- 91 CSP Scot, ii, 336-37.
- 92 ibid., ii, 366.
- 93 Elizabeth was quite insistent on this point. Keith, History, ii, 671.

- 94 Read, Cecil, 385-86.
- 95 *ibid.*, 386.
- 96 CSP Scot, ii, 336.
- 97 *ibid.*, ii, 375, SP 52.14.50.
- 98 *ibid.*, ii, 363.
- 99 *ibid.*, ii, 361, SP 52.14.32.
- 100 Keith, History, ii, 744.
- 101 CSP Scot, ii, 349, SP 52.14.17.
- 102 *ibid.*, ii, 343-4, SP 52.14.4.
- 103 SP 52.14.17.
- 104 SP 52.14.19.
- 105 SP 52.14.19.
- 106 Keith, History, ii, 743.
- 107 Teulet, Relations, ii, 322-5, 327-9 and CSP Scot ii, 380-1.
- 108 SP 52.14.51. CSP Scot, 1563-69, 377.
- 109 CSPF, viii, 324.
- 110 SP 52.14.51.
- 111 Haynes, State Papers, 462-3, Lee, Moray, 252-3.
- 112 Keith, History, ii, 744.
- 113 According to Keith, History, ii, 788, Maitland was made sheriff of Lothian but this must be questioned as there does not appear to have been a sheriffdom of Lothian. It is obvious, however, that Maitland continued to play a major role in the Regent's government; Reg. Hon. Morton i, 28 details his commission from Moray in October 1567 'to ressave the comptis of gold and silver' Morton had received from Mary since June.
- 114 CSP Scot, ii, 394.
- 115 Bannatyne, Memorials, 127.
- 116 SP 52.14.95 but his speech is quoted in full in Skelton, Maitland, ii, 270-3.
- 117 Knox, History, ii, 215, BUK, i, 94-6.
- 118 APS, iii, 24-25.
- 119 Russell, Maitland, 358-9.
- 120 I am grateful to Jean Morgan and her forthcoming PhD. on the clientage of Lord James for advice on the strength of the Douglas connection. Morton remained free from the threat of a trial until 1584.
- 121 Lee, Moray, and Buchanan, History of Scotland, ii, are the chief examples of this hagiographical approach to the career of Moray.
- 122 Keith, History, ii, 744, Calderwood, History, ii, 507. Compare this with Moray's consistent hard-line against Mary in the convention of 1569, voting against granting Mary's divorce, Donaldson, AQM, 118 and Diurnal, 145. For his conduct during Mary's trial in England, see Donaldson, The First Trial of Mary Stewart, (London, 1974) *passim*.
- 123 Maitland did not sign the Hamilton Bond of 1567, Keith, History, ii, 807-10. Nau, Memorials, 80-1, gauges Maitland's tactics well in this instance; CSP Scot, ii, 412-3 for Maitland's expressions of joy after victory at Langside.
- 124 Donaldson, AQM, 118.
- 125 Melville, Memoirs, 200, Nau, Memoirs, cxix.
- 126 Nau, Memoirs, 80-1, relates Moray's 'false alarm' test of Maitland's loyalty. See CSP Scot, ii, 412-13 for his post-Langside correspondence to Cecil.
- 127 SP 53.1.28.

- 128 APS, iii, 49-55. Lee, Moray, 231.
- 129 Nau, Memoirs, 100, for the 'necessary evil'.
- 130 Buchanan, History, ii, 540-1.
- 131 The best account of this tortuous affair is unquestionably Donaldson's, First Trial of Mary Queen of Scots. (London 1974).
- 132 CSP Scot, ii, 603, Lee, Moray, 251-2.
- 133 CSP Scot, ii, 635.
- 134 *ibid.*, ii, 631.
- 135 Moray's attitude to the match was as complicated as anything attached to that matter. He later had to deny he had supported the match at all to Elizabeth, *ibid.*, ii, 687, 693-4. See his letter to Cecil in Robertson, History, iii, 368-74.
- 136 Diurnal, 145.
- 137 The question of English support for the Norfolk marriage is not at all straightforward but see MacCaffrey's discussion of this in The Shaping of the Elizabethan regime, 191-220.
- 138 RPC, ii 1-6, 8-9, CSP Scot, 1563-69, 664, CSPF ix, 106-7.
- 139 Donaldson AQM, 118.
- 140 Diurnal, 147.
- 141 *ibid.*, 147.
- 142 *ibid.*, 148-9.
- 143 Melville, Memorials, 217-8.
- 144 Warrender Papers, i, 63-70.
- 145 *ibid.*, 69.
- 146 *ibid.*, 68 and Diurnal, 149.
- 147 *ibid.*, 69-70.
- 148 Herries and Châtelherault had been in the Castle since April 1569, Diurnal, 144.
- 149 Diurnal, 151.
- 150 Maitland's circular to his friends to rally round is in BL Cott. Calig. C.i, 471; see also Warrender Papers i, 67, for Maitland's confidence in the power of his own friends to overcome Moray.
- 151 Diurnal, 151-2.
- 152 R. Pollitt, 'The defeat of the Northern Rebellion and the shaping of Anglo-Scottish relations', SHR 64, (1985), 1-21.
- 153 *ibid.*, 2-4, and Lee, Moray, 270.
- 154 Cott. Calig. C. i, 489.
- 155 CSP Scot, 1569-71, 53-55.
- 156 Historie, KJVI, 49-51.
- 157 *ibid.*, 46-7, for details of the perfectly planned assassination.
- 158 Keith, History, ii, 579-80 for Court of Session decision, *ibid.*, 582 for witnesses to the marriage contract. RPC, i, 509-11, for attendance at council meetings. Keith, History, ii, 720-3 for James' coronation and RPC i, 548-50, for Moray's acceptance of the regency.

CHAPTER EIGHT
THE CIVIL WAR
1570-1573

The Secreter is the saule, and without whom and whose counsell, they can do no moir than the wheillis can do without the extrie.¹

The period 1570-73 marks the final phase of Maitland's life, the end of the Scottish civil war and the effective collapse of Mary's cause in Scotland. His destiny had come to be inextricably bound up with the outcome of those two concomitant issues and it is his conduct during those years or rather the interpretation of his conduct by the propagandists of the King's party, that has to a large extent earned him his unenviable historical reputation. The machiavellian, chameleon epithets and accusations of atheism share a common post-1570 provenance.² Despite the fact that many of the best contemporary accounts of the civil war stem from the pens of his bitter enemies, Maitland, perceived to a large extent as the opening quotation suggests as the 'saule' of the Queen's party provides an excellent focus for an effective understanding of the complexities of this phase of the Scottish civil war. As the struggle developed and the outcome hinged upon the fate of Edinburgh Castle; Maitland, together with Kirkcaldy of Grange occupied the centre stage, of what paradoxically for a civil war was quintessentially an international crisis. This wider European angle, a recurrent theme of Maitland's career must not be discounted. As so often in the years 1558 to 1573, Scotland and Maitland's destiny depended directly on the intervention of foreign powers. This, along with many other pertinent aspects of this post-Moray phase of the war that Maitland's conduct highlights, will be discussed in this chapter. Not the least of these is the fundamental question of how far the Queen's party can be regarded as essentially just that: a party serving the interests of Mary Stewart rather than as a vehicle, manipulated by many as the most effective means of registering opposition to the

King's party, seeking to supplant them with an alternative other than Mary.

The Effects Of Moray's Assassination

The assassination of Moray was undoubtedly one of the most significant turning points of the war, one which left Elizabeth temporarily hamstrung and facilitated a major realignment of forces in Scotland. In her typically infuriating and childish manner Elizabeth seemed to realise what a splendid servant she had in Moray and the great means he provided to solve her Scottish problem only when his services were no longer available for hire.³ However, not everybody either in Scotland or abroad shared Elizabeth's sorrow at the passing of the 'Good Regent'. Mourners from the Queen's party at Moray's funeral were conspicuous by their absence. Many had good cause to rejoice at his death. Maitland had more than most. Whilst it is not known whether he joined Westmorland in throwing his hat in the fire for joy on receipt of the news of Moray's death, for Maitland the irony of Moray's demise could not have been sweeter.⁴ He had already successfully out-witted Moray's efforts to diminish his political influence and on the very day of his funeral, 14 February 1570, he completed in perfectly stage managed style his political re-habilitation. Maitland, ever the political opportunist, insisted on a fully public trial 'for his better purgacion by the assent of the whole nobilitye' on the charge of complicity in the Darnley murder. Public trial and acquittal was followed by a successful return to the privy council. Maitland was back.⁵

For the Queen's party as a whole, the death of Moray, manufactured as it was by a Hamilton assassin, was a cause for triumphant celebration.⁶ Here at once is an illustration of the complex dichotomy inherent in the allegiance of many members of the Queen's party, and particularly in this case of the Hamiltons' support. Even though the Hamiltons may have been seeking primarily to fulfil their own dynastic aspirations during the civil war, there was more than a small amount of common ground in the obstacles standing in the way of that goal and their ostensible desire to restore Mary to her throne. The defeat of the King's party was essential to both. That Mary and Châtelherault did not recognise this shared interest is incontestable.⁷ Both seemed to

realise their mutual dependence upon each other and this was reflected in Mary's choice and Châtelherault's acceptance of her Lieutenancy.⁸ Their common desire to see the King's party defeated ensured an intriguing and valuable alliance. The alternative foreign policy actively pursued by Châtelherault through the industrious offices of the distinguished exile David Chalmers, adds weight to the suspicion that Châtelherault's ultimate object was not a complete Marian restitution but a government headed by himself in Mary's name.⁹ This is not to say that the Duke was unsupportive of the mainstream, foreign policy carried out by the Queen's party but rather to show that in time-honoured tradition, he was ensuring the Hamiltons own interests were given every chance to prosper through their association with and support of the Queen's party.

The immediate post-Moray period is regarded as the apogee of the Queen's party's prospects for success. Their domestic strength at this time was allied to good prospects of attracting effective foreign assistance.¹⁰ Yet while it is undeniable that the Queen's party enjoyed a major renaissance during this period, the situation may more accurately be regarded as the nadir of the King's party's fortunes rather than the zenith of the Queen's. The balance of power between the two parties was a very fine and delicate one: it was only when the King's party was weak that the Queen's was strong and at this time it was very weak indeed. With the King's party leaderless, a constitutional crisis beckoning over their right even to appoint another regent, a distinct lack of interested and suitable candidates in the face of the highly uncertain prospect of effective English aid, it was hardly surprising that the initiative and momentum swung to their opponents.¹¹

The question of English intervention was perhaps the most crucial of all these factors. The determining role England played in the civil war goes some way towards explaining the vicissitudes in the fortunes of the King's and Queen's parties. If it was for no other reason than geographical proximity, which traditionally guaranteed a certain amount of English interference in Scottish affairs, England would have been a more than interested observer in this crisis. However, their role was not to be restricted to any spectatorial capacity. From May 1568 such a stance was impossible with England's fortuitous hold over the raison

d'etre of the civil war, Mary herself. This basic fact guaranteed Elizabeth's position as arbiter of the crisis, ensuring the two parties shared a mutual dependence upon her. Maitland recognised this reliance but acknowledged that it tended 'albeit to contrary endes'.¹² The battle was for Elizabeth's support and Maitland was faced with the dilemma of whether English co-operation could best be achieved by confrontational or conciliatory tactics. It was Maitland's conviction that the consistent, although at times guarded English preference for the King's party forced the Queen's party to adopt the former alternative with all its attendant implications of overseas intervention.¹³

Even if the Queen's party overcame the handicap of English support for the King's party and forced them into submission, they would have still required English co-operation to fulfil their ostensible aim of restoring Mary to her throne. Elizabeth was nothing if not a realist and if the King's party had been defeated, her co-operation would no doubt have been forthcoming. She could not have afforded to oppose a united and antagonistic Scotland. However, that Mary's restitution lay ultimately outwith the Scots' own hands is illustrative of the scope available in the Queen's party for those opposed to the King's faction but not necessarily in favour of Mary's restitution. What is clear above all else from this is the decisive importance of the direction of English policy to the outcome of the civil war. In the immediate aftermath of Moray's assassination, English hesitancy ensured that the tide had turned very much against the King's party. It was Maitland, who, to a large extent ensured that the Queen's party took full advantage of this.¹⁴

In the guise of an honest broker, Maitland sought or pretended mediation between the two factions yet it quickly became obvious that his sympathies lay with the Queen's men. Despite working alongside Morton and rumours that he too had fallen under the Maitland spell, the seeds of the bitter enmity that was to so mark Morton's later treatment of the Maitland family had already taken root.¹⁵ Mary seems to have accurately perceived the likelihood of a sincere rapprochement between the two. Whilst welcoming reports of their reconciliation which she understood to have been performed with her best interests at heart, she asked Maitland, 'Gif it be nocht on his pairt, pray yow warn me in tyme

that I be nocht dissavid'.¹⁶ In this respect Mary read the situation more accurately than Randolph, who hoped to effect a complete reconciliation between the two men as a forerunner to the better establishment of the King's party's authority. Randolph felt if he could effect such an agreement then, 'I doubt the less my success in the case'.¹⁷ However, that their respective Edinburgh residences provided the meeting points for the Queen's and King's lords during the time of the March convention of 1570 was a much better indication of the future course of the Maitland-Morton relationship. It was Maitland's house in the High Street that won for the Queen's men the derogatory epithet of 'the lords of the meill mercat'.¹⁸ Maitland and Morton were assuming their positions as the natural leaders of the two rival parties.

The uncertain political legacy of the Moray regency provided the perfect ambience for Maitland to weave his own special brand of political mischief. Maitland was in his element and it was his success in mobilising a formidable caucus of support for Mary that provoked the series of bitter propaganda attacks against him. The King's party had every reason to fear Maitland's influence as events were swiftly to show. An excellent indication of the change in the domestic balance of power and the opposition now arrayed against the King's party can be found in a letter almost certainly penned by Maitland on behalf of the Queen's party to Elizabeth dated late March 1570.¹⁹ It was signed by ten earls and fourteen lords as well as by Secretary Maitland and the former Clerk-Register, Sir James Balfour.

There are certain obvious similarities between Maitland and Balfour and they must have presented a fearsome combination. Balfour 'the most corrupt man of his age' is not far behind Maitland in terms of the unsavoury nature of his historical reputation.²⁰ Balfour, who 'served, deserted and profited by all parties' shared a long association with Maitland. Both men had gained entrance to the College of Justice at a similar date and Balfour seems to have worked closely with Maitland's father in producing his well known Practicks. Both had fallen foul of Knox after a former friendship, in the case of Balfour an obviously intimate one as a fellow galley slave alongside the reformer. Despite having been on opposing sides during the coup of 1566, throughout the

civil war Maitland and Balfour seem to have worked very closely together. They allegedly burnt the incriminating evidence of the Darnley murder bond and were arrested at the same time by Moray but Balfour, unlike, Maitland was able to bribe his way out of trouble.²¹ Following Moray's death and up until 1572 Balfour played the part of a Queen's man well enough, working in close partnership with Maitland and Kirkcaldy before returning to the King's party once more. Having benefited from his devious support, the Castilians immediately suffered the effects of his defection. Balfour showed no compunction in betraying information that led to the seizure of Kirkcaldy's brother in Blackness with the much-needed French aid, whilst Morton also availed himself of Balfour's professional expertise in framing the terms of the Pacification of Perth.²² Balfour's conduct provides evidence for those who take the view that allegiance in the civil war had very little to do with a conflict of deeply held constitutional principles. This, however, is to digress.

The Growing Strength Of The Queen's Party

The convention in Edinburgh arranged for March in the light of the Regent's death illustrated the progress made by the Queen's party at this time. This assembly was boycotted by Argyll, Boyd and the Hamiltons, who instead convened menacingly at Linlithgow, whilst the presence at the Edinburgh convention of dissenting earls such as Athol, Huntly and Crawford along with Lords Seton and Home together with the master of Forbes, Tullibardine, Lochinvar and Kirkcaldy of Grange aided and abetted by Maitland, ensured the frustration of the King's party's plans to appoint a new regent.²³ The convention was dissolved having achieved nothing except the confirmation of the ascendancy of the Queen's party under Maitland's astute guidance. This was further emphasised by their subsequent convention at Linlithgow. It was this convention which met on 9 April 1570 that represents the most impressive array of support both domestic and foreign ever gathered for the Queen's party. Huntly, Athol, Argyll, Crawford, Cassillis, Fleming, Home, Herries, Ogilvy, Boyd, Seton, Yester, Somerville, Oliphant, Balfour and of course Maitland attended the convention along with the French ambassador, Verac, as well as the fugitive earl of Westmorland and

Leonard Dacres.²⁴

Perhaps even more disconcerting for the King's party at this time was the alarming behaviour of Kirkcaldy of Grange, in the light of his Captaincy of the Castle and Provostship of the burgh. At almost every turn Kirkcaldy was an ever-increasing disappointment to his former allies. There was no doubt who was held responsible for this corruption of 'the some tyme, stout, true, laird of grange'. It was put firmly at the feet of 'that fathir of all traytouris, the secretaire'.²⁵ It is extremely doubtful that Maitland was the only reason for Kirkcaldy's support for the Queen but their personal friendship and Kirkcaldy's firm belief in Maitland's innocence of the charges laid against him by the King's party were no small factors in determining his eventual allegiance. Kirkcaldy's reputation is the very antithesis of Maitland's and Balfour's but it is difficult to see why. Like Maitland he had betrayed Mary of Guise; he had even joined the Chaseabout raid and despite leading the campaign at Carberry and fighting against the Queen at Langside he is numbered firmly amongst the ranks of genuine Marians.²⁶ Maitland's role in securing Grange's support for the Queen's party can, however, be quite fairly regarded as his single most effective contribution to the cause of Mary. Undoubtedly it lengthened the life of the civil war and the prospects of Mary's restitution far beyond what could otherwise have been achieved.

Kirkcaldy's exceptional international reputation was a valuable asset in the attempt to secure French assistance as letters to him from Charles IX and the Cardinal of Lorraine dated May 1570 show.²⁷ It was probably due to Kirkcaldy's high credit with the French that his brother James was chosen as the envoy of the Queen's party to try and procure financial and military aid from that quarter.²⁸ His strategic influence over Edinburgh was, however, his greatest contribution to the Queen's party. Randolph bitterly admitted that, 'he hath in his hands that which maye do moste nexte to the kynges person'.²⁹ Randolph was contemptuous of the united front Maitland and Grange presented, lamenting the decline of his relationship with his former 'brother William' and that Maitland even seemed to be composing Kirkcaldy's correspondence for him.³⁰ Randolph was critically aware that Moray's assassination had produced a sequel which looked set fair for the Queen's party and

Maitland's confident mood can be deduced from a variety of sources.

In keeping with his consistent desire for the union of the isle Maitland advocated, as the most preferential solution to the conflict, an English sponsored restitution of Mary.³¹ It was with this in mind that Maitland sought to rejuvenate his relationship with Cecil along the lines of a 1560 scenario, with Maitland carefully channelling English intervention towards a common Anglo-Scottish goal. Maitland even went back to the reign of Henry VIII in his attempt to show Cecil his own and his family's devotion to England,

the general obligacioun quhilk I ow unto her hyghnes and the haill realme off England for the favour and support my father, I and other our frendis receaved the tyme of our troubles as well at the handis of her father as her brother King Edward.³²

Maitland was to discover to his cost that the realities of 1570 were far removed from the halcyon days of a decade earlier. There was now a massive gulf between the ground Maitland and Cecil occupied at this juncture compared to that they had once shared. Cecil, now one of the chief anti-Marian hawks in the English council, repeatedly ignored Maitland's overtures for a resumption of their old partnership as a forerunner to a new harmonious phase of Anglo-Scottish relations based upon the restitution of Mary.³³ In another parallel with earlier days, Maitland found a more receptive ear in the earl of Leicester, who undoubtedly had a more favourable attitude towards Mary than the older Cecil 'and his brothers in Christ'.³⁴ It was probably Cecil's fear that direct communication with Maitland would have been to the Scotsman's advantage rather than his own that explained his favouring of an indirect route through the offices of Randolph to win Maitland over to his former anti-Marian view. It was as usual, well-founded caution on Cecil's part.³⁵

Randolph, arguably the most experienced English agent in Scottish affairs provides the best insight not only into Maitland's conduct and movements at this time but also into the entire post-Moray scenario from an English perspective. He was critically aware of Maitland's hold over so many of the major figures in the crisis. Hume, Randolph observed, was 'wholly Lethington's' and would 'follow no other course than that which he will tayke who I perceave doth verrie muche with a greate number of those that I shall have moste to do with all'.³⁶ This

opinion of Maitland's influence was shared by all the English officials involved in the civil war. Sir William Drury, the English marshal of Berwick, told Cecil 'what favour you woold have Huntly, Atholl or Hume to do Ledyngton muste be the woorker off yt. Iff he woold that Huntly or Hume shoold have been at thys conventyon they had not bene absente'.³⁷ The earl of Sussex also concurred with this view of Maitland's influence over the Queen's party, feeling that they were completely dependent upon him: 'If he maye be wone from that side as they were nothing before he was ther instrument so will they be nothing againe when he is taken from them'.³⁸

Randolph spent much of early 1570 attempting to woo Maitland back to his former allegiance. His correspondence relating to those efforts sheds valuable light on the intriguing relationship the two diplomats shared from the early days of the Reformation crisis.³⁹ In classic Randolph style, he combined his keen political perception with the deliciously, spiteful, barbed and entertaining allusions that garnish his correspondence. He assured Maitland of the great esteem he was still held in amidst the highest echelons of the English court and reported to Cecil that despite his wretched physical condition it was 'only he that can do beste in all good directions betwixt the two countries' and effect a satisfactory and speedy solution to the crisis.⁴⁰ However, Randolph's regular, colourful bulletins of Maitland's declining health, which was such a restrictive feature of his final years, betrayed a jealousy he seems to have felt towards Maitland for a number of years as much as any sincere concern. Quite possibly this was motivated by a sexual envy over Maitland's successful pursuit of Mary Fleming which contrasted with Randolph's unsuccessful quest for Mary Beaton.⁴¹ Randolph doubted Maitland's capacity to survive his illness and seemed to delight in ascribing his disability as a side-effect of his marital bliss.

I doute nothing nowe so much of hym as I do off the lengthe of hys lyf he hathe onlye hys harte hole and stomake good an honest mynde somewhat more gyven to pollicie than to Mr Knox's preaching, his leggs ar cleane gone, his boddie so weake that it sustayneth not it selfe, his inwarde parts so feeble that to endure to neese he cannot for annoyng the whole boddie. To this the blessed joy of a young wife hath brought him unto that which the begettinge of a couple of boyes hath spylte a good boddie and lyke to overcome no less a good servant to this commonwealthe.⁴²

This description is interesting in a number of respects. The axiomatic observation of Maitland's predilection for politicking rather than for Knox's sermons is amusing, and the details of his physical condition important, but most significant is the perceived importance of Maitland in February 1570 and Randolph's optimism of winning him to the English cause. Randolph was of course to be disappointed, a fact which was reflected in his future bitter references to Maitland. Randolph's subsequent remarks as to Maitland's services to the commonweal were firmly rooted in the negative rather than positive respect. Within three months Randolph's opinion had altered dramatically, 'Of Liddington I thynke still as I dyd and he hath heard inoughe from me thereof ... I thynke hym as unhoneste in mynde towards us as he is weake in boddie in sight of the worlde'.⁴³

Maitland's desire to procure an English sponsored restitution of Mary was his preferred solution to the crisis but not his only one. He made this abundantly clear to Leicester, in a letter dated 29 March 1570, which enunciated the 'platt of this country'. Maitland explained the political realignment that had taken place in post-Moray Scotland, emphasising the supremacy of the Queen's party over the King's not only in terms of numbers but also, in what was a recurring argument of Maitland's, in terms of quality and degree as well. He acknowledged that the King's party had attracted the support of 'a good number of the nobility, gentlemen and principal burghs of the realm' and most crucially of all 'as Mr Randolph beareth us in hand the Queen's majesty your soveraignes allowance and protection'. In contrast to this the Queen's party was composed of the 'principal of the nobility and good members of the inferiour sort throughout the whole realm' and as the perfect counter to Elizabeth's support for their opponents 'looke assuredly thyt all kings do allow theyr quarrel and will ayde them accordingly'.⁴⁴

Maitland took great pleasure in informing Leicester that the strength of the two parties had been significantly altered in the light of the Regent's death by a fundamental difference of opinion over the 'regiment of the realm'. He delighted in relating to Leicester the great desertion from the ranks of the King's party, due, according to Maitland, to their preposterous aspirations to control the government

of the realm:

It was neither fitt nor tollerable that three or four of the meaner sort shall presume to challenge to themselves a rule over the whole realm - the next of blood, the first in rank, the greatest both for the ancienty of their houses, degree and forces being neglected.⁴⁵

This is perhaps the clearest example of Maitland - sometimes portrayed as the emblem of a new rising class of lesser lords and lairds - emphasising the traditional values of noble blood and lineage; an emphasis which has been said to prove a damaging aristocratic bias in him. This may be so but it is more likely to have been Maitland making the most of a strong, bargaining counter in what was, despite Killigrew's over-used and over-valued sociological comment on Scottish society, an essentially conservative society.⁴⁶ It was also probably a line of argument designed to appeal specifically to the ultra-conservative Elizabeth.

Maitland went on to warn Leicester that the proposed English invasion under the earl of Sussex - rumours of which were already rife in Scotland - would achieve nothing except force the Queen's party to respond positively to offers already received from 'the King of France to that part of this nobility that favoures the Queen'. Maitland insisted that he abhorred the prospect of 'the forces of strangers sett foote within this realm' but was realistically aware of what necessity might dictate.⁴⁷ The sincerity of Maitland's threat can be seen in the detailed instructions the Queen's party sent to Archbishop Beaton for French aid. This request was composed just days after Maitland's letter to Leicester while they were convened together at Linlithgow.⁴⁸ These instructions are amusingly specific in their insistence that any French force should be headed by Henry II's son by Lady Fleming (Maitland's wife's mother), Henry de Valois, 'Le batard d'Angouleme', whose Scottish provenance would offset the popular revulsion against French intervention: 'For it is ane populair favour in him that he was born of a Scotis woman within the cuntre and resavit thairin nuriture a greit pairt of his age' and perhaps more basically 'becaws he speikis Scottis or at leist will easily lern'. The more serious and 'vehement fear' of a return to French domination was the chief motive behind the Queen's party's insistence that Charles IX 'chuisse syk a chief of his army as wilbe lykit of in this cuntrey'. The emphasis the instructions placed on

the dangers of French intervention being misinterpreted as an attack on the religion and liberties of the realm 'calling to remembrance diverss insolences done befoir in the eis of this peiple' illustrates the sensitivity of the Queen's party to the charges frequently laid against them by the King's party propagandists.⁴⁹

Maitland concluded his argument by insisting that if Elizabeth truly sought the friendship of Scotland rather than of a minority faction then she must proceed by peaceful mediation and not by military aggression. As usual he was able to support his argument with an apposite analogy, comparing the Queen's party's situation to that of:

men in the middle of the sea were in a shipp which soddenly should be sett on fire, the feare of burning wold make them so leape into the sea and soone after the feare of the water wold dryve them to releave again to the fyred ship, so for avoyding of a present evil men will many times be enforced to have recourse to an other as lesse dangerous.⁵⁰

Maitland's drift was clear and by the end of March 1570, the beginning of the final phase of the civil war with the constant spectre of foreign intervention was well underway.

It was under the threat of English military intervention that the Queen's party met at Linlithgow on April 9 1570, yet this does not seem to have dampened the ardour of the convention.⁵¹ As noted in their instructions to Beaton the threat of invasion was addressed confidently by the Queen's party. It is also apparent in their bold proclamation to the people of Scotland and in the instructions given to Maitland's brother-in-law, Heriot of Trabroun, to treat with Sussex.⁵² The proclamation amounted to a basic manifesto of their cause. The just deposition of Bothwell was recalled and the Queen's party depicted as the true defenders of the commonweal and religion. The damaging consequences of foreign intervention were placed firmly at the door of the King's party. The 'overthrow and undoing and utter wraike not only of the cuntrey bot of the religione and all' was due directly to the King's party's 'obstinate rejecting of equitable and ressonabill conditiones' and not the 'godly and honest' Queen's party who 'have socht measoure, peace, and unitie'. The instructions for Heriot of Traboun bore the same, confident stamp, warning Sussex not to proceed any further without being prepared to face the consequences.

Similarly, the letter of John Gordon to Elizabeth explicitly

threatened that English armed intervention might force the Queen's party to accept Charles IX's offers of assistance 'not only for the goodwill he bears to the Queen of Scotland but also for the ancient alliance betwixt France and Scotland'.⁵³ This further reference to the auld alliance shows that although the Queen's party had to be very careful on the domestic front as to how they handled the matter of French intervention, the threat of the active resumption of the auld alliance was still a potent weapon in their attempts to induce Elizabeth's support for their cause. The civil war serves as another reminder that the diplomatic revolution of 1560, had far from completely supplanted the traditional antagonisms inherent in the triangular relationship between England, Scotland and France. It was arguably Elizabeth's recognition of this and her fear of driving Scotland firmly back into the arms of France that was the chief reason behind her hesitant policy in Scotland.

The bullish mood of the Linlithgow convention was further emphasised by their subsequent occupation of the burgh of Edinburgh, achieved chiefly through the compliant offices of Kirkcaldy of Grange.⁵⁴ This was followed by the release from the Castle of Herries and Châtelherault which restored the Marian Lieutenancy of Argyll, Huntly and Châtelherault over the realm.⁵⁵ This triumvirate represented a formidable territorial range of opposition to the King's party, sweeping across northern, central and western Scotland. However, the optimism of Linlithgow was an inaccurate portent for the future fortunes of the Queen's party. Elizabeth and Sussex ignored the Queen's party's overtures. Despite Kirkcaldy's cautionary advice to Randolph not to underestimate the strength of this 'contrair faction for they are xxxii erles and lords in parlement quharof xxiiii hes subscrivet the writing sent with Mr John Gordon to the Quene your mistress', Sussex was able to inflict lasting and severe damage on the Queen's party.⁵⁶

The English Invasion

The military intervention of Sussex was yet another turning point in the civil war and one that could so easily have proved instantly decisive. Sussex's initial military campaign consisted of a three-pronged attack on the east, middle and western borders, followed up by

a joint military venture with the King's party's forces directed principally against the Hamiltons.⁵⁷ The wanton barbarous destruction of this campaign has not achieved the notoriety that it deserved. Apparently, 'Ninety strong castles, towers, and dwelling houses with three hundred towns and villages were utterly destroyed' with perhaps the most significant strikes of the campaign being the successful seizures of Hume and Fast Castle along with those of Buccleuch and Ferniehurst.⁵⁸ Maitland laconically congratulated Sussex that his troops had in a manner:

not unknown to our forefathers reasonably well acquit themselves of the duty of olde enemies and have burnt and spoilt as much ground within Scotland as any army of England did in a year in Scotland these hundred years by past.⁵⁹

More significant than the wholesale destruction wrought by the English task force was Sussex's successful dispersal of the Queen's party's forces. The Queen's lords had been forced to abandon Edinburgh, whilst the severe damage inflicted on the Hamiltons and their lands appears to have had a lasting effect on Châtelherault's capacity to intervene decisively on behalf of the Queen's party's forces.⁶⁰ The Queen's party still held several key strategic advantages over the King's party: in the west, Dumbarton Castle was of crucial importance, Edinburgh Castle in Kirkcaldy's trusty hands was still beyond the grasp of the King's party and Huntly was pre-eminent in the north-east, but it was never again the case as it had been in the pre-Sussex days of April 1570 that 'the son's party daily decays, the mother's party daily increases'.⁶¹

Despite the major damage Sussex inflicted upon the Queen's party, his intervention did not satisfy the King's men. Ironically, it heightened their fears as to Elizabeth's real intentions in Scotland. Kirkcaldy arguably hit the nail on the head with his shrewd observation to Randolph that 'we thynk yt very strange yt ye never mak mention of our kyng in all your writynges and proclamations qlk makes us suspect that your mistress wil never tak the maintenance of hym upon her'.⁶² The King's party's anxiety reached fever pitch when Elizabeth rejected Sussex's request to advance his military conquest. She firmly refused Sussex's *gung ho* offer of taking the castles of Edinburgh and Dumbarton within twenty days and bringing the whole of Scotland to her obedience

in another twenty if she would but allow him to continue with his force of 4000 men.⁶³ Instead, Elizabeth was content to withdraw the troops, sanction the appointment of Lennox as regent and to promote a negotiated settlement to the crisis.⁶⁴ It was the King's party's uncertainty as to what Elizabeth actually intended to achieve in Scotland that Maitland exploited so effectively in his recruiting drives for the Queen's party. He repeatedly claimed to know Elizabeth's mind and her firm intention to restore Mary to her throne. No matter how much Randolph and Sussex objected to Maitland's claims they both knew their mistress too well to dismiss out of hand his speculative assertions.⁶⁵

However, while the military intervention was not as decisive as Sussex and the King's party wished, there was still much for them to cheer. Despite the public pretext of the invasion as the pursuit and punishment of English rebels following the abortive Northern rebellion and those Scots who had succoured and supported them, it was clear to all concerned that this was just a pretext. Even Elizabeth privately admitted that the military intervention was designed to aid the ailing fortunes of the King's party and this it most certainly did.⁶⁶

Maitland denied that the Queen's party had favoured the English rebels but it was a useless and quite transparent lie. Maitland's and the Queen's party's handling of the English rebels arguably represents their most damaging miscalculation. By being so openly associated with the rebels, they provided Elizabeth with the perfect justification for intervention and a classic opportunity of killing two birds with one stone. Just as the northern rebellion had been a two-edged sword for Moray so it proved for the Queen's party. They were fortunate in the extreme that Elizabeth failed to take better advantage of the offer. The gamble of identifying so closely with the English rebels, possibly in a deliberate attempt to incite an English invasion and thereby procure the intervention of France or Spain was one that badly misfired and cost the Queen's men dear. By the time they had finally disassociated themselves with the English rebels, severe damage had been done with little in the way of foreign aid to compensate for it.⁶⁷

Maitland, with the benefit of a year's hindsight in August 1571 was to view the effects of Sussex's intervention as the most significant

turning point in the retrogressive fortunes of the Queen's party. In a fascinating letter to Archbishop Beaton dated 28 August 1571, which will later be examined in greater detail, Maitland admitted in reference to the pre-invasion situation:

in quhat termis we then stud and quhat nombre of nobilmen maid sum countenance and demonstration that they wald then set furth the Quenis cause, quhilk company was dispersit by the incoming of Englisemen in May bygane a yeir; sen quilk tym, for na labouris culd be maid that nombre culd never to this hour be assemblit again in a place.⁶⁸

This pessimistic appraisal was not his immediate response to the situation.

In the immediate aftermath, Maitland, cheered by the swift withdrawal of the English troops, seems to have felt confident of holding the Queen's party together and capitalising on Elizabeth's reluctance - in the face of an exceedingly delicate international situation - to act openly against Mary by offering the King's party conclusive support. Even though he had been forced to flee from Edinburgh on 29 May 1570 to his safe haven of Blair Athol, active moves were still being made to enlist overseas aid and Maitland seems to have been encouraged by the numbers who still alleged support for Mary.⁶⁹ By the time of his letter to Beaton in 1571 he had, however, realised that despite the many who:

in privat conference with their friendis wad lament her caus and be wordis profess that thai wish weil to hir majestie and semis to mislyk the present government ... we fynd very few quha puts thair hand to the pleuch.⁷⁰

In 1570, Maitland was still blissfully unaware that 'feu will mel in the caus or dip earnestly ather to defend hir friendis or invaid hir enemies' and there were no signs of the deep depression he fell under in the following year.⁷¹ Indeed in 1570, it was Randolph and Sussex who were disillusioned at Elizabeth's half-hearted support of the King's party which seemed to vindicate Maitland's claim that as regards Scotland, Elizabeth 'was inconstant, unresolved and fearfull'.⁷² Sussex and Randolph both asked to be relieved of their duties. Not many people in history have requested a posting to the Russian front but such was Randolph's frustration at Elizabeth's lack of decisiveness that he wished he was back in Moscow.⁷³

Elizabeth's Scottish Policy

Hindsight is, of course, the perfect vantage point but the temptation is difficult to resist that had Elizabeth rammed home her advantage at this point then the cause of Mary in Scotland would have been over. This was certainly Sussex's opinion but as with the rest of Elizabeth's policy in the civil war, which, in the main was shrouded by finesse, the reasons for her rejection of Sussex's offer cannot be discerned with any certainty. Yet however difficult, it is necessary to try to pin down what Elizabeth's Scottish policy was and attempt an explanation of the dilatoriness that characterised it. Whilst financial considerations can never be discounted in any discussion of Elizabethan policy - and it does seem likely that Elizabeth's penchant for a settlement on the cheap played no small part in determining her Scottish policy - there are more compelling motives that need to be taken into account.

Elizabeth's hesitant approach to the Scottish civil war does little to quell the accusations voiced in the unreliable memoirs of Sir James Melville of Halhill. Melville believed that Elizabeth was not interested in effecting a permanent solution but was content to ensure her own safety through the creation, chiefly via the capable hands of Randolph, of further debilitating dissension in Scotland.⁷⁴ There may well be some truth in the accusation but if so it was a policy that Randolph even if he did comply with, did not approve of. It has already been noted that Randolph and Sussex did not share Elizabeth's taste for prevarication in Scotland. However, such is the lack of a consistently clear policy and the often stark incompatibility between Elizabeth's public proclamations and her actions that Melville's accusations are certainly tenable. Despite the chicanery with which Elizabeth sought to conceal her intentions in Scotland, it seems that her concerns were essentially those of her Tudor predecessors; the security of her northern border through the establishment of a pro-English government in Scotland free from hostile foreign influences. In 1570 Elizabeth clearly felt that the best way of achieving this was not through the iron fist of Sussex but through more subtle means.

In the summer of 1570 Elizabeth seems to have been very much aware of the danger of people in glass houses throwing stones. The threat of incurring the wrath of France and Spain allied to her own intrinsic

conservatism seems to have proved decisive in her refusal of Sussex's request.⁷⁵ She no longer had the pretext of the pursuit of her rebels who had by now fled abroad and despite the fact that both France and Spain had opposed the papal bull of deposition against her in May 1570, she probably suspected that both would be quite prepared to take advantage of a possible papal subsidy for intervention in Scotland against her. Elizabeth was content to support the King's party and, as Melville argued, actively encourage division in Scotland but not to the extent of provoking hazardous foreign intervention which could only be detrimental to England. There was no guarantee that Sussex's proposed campaign would not incur the wrath of France and Spain and in any case why take the risk when diplomacy offered an equally attractive alternative? Elizabeth's chief concern was the security of her own realm not the well being of the King's party. It was only when the former depended on the latter that Elizabeth acted decisively. In the mean-time she had other strings to her bow.

Her favourable response to French pressure for a negotiated settlement was good policy as far as Anglo-French relations were concerned whilst in Scotland she stood to lose nothing.⁷⁶ The King's party could protest but they were powerless to change her mind. She was probably confident enough in her own security to be careless of the fact that her conciliatory approach gave Maitland the opportunity to resuscitate the spirits of the Queen's party. That this could lead to more civil unrest in Scotland does not seem to have been of great moment to Elizabeth. It never was so long as it did not threaten her position as arbiter of the crisis. Perhaps then, Melville was more accurate than usual in his depiction of Elizabeth's Scottish policy.

Maitland's year-long absence from the capital provides another distinct phase of his conduct during the war. The sincerity of his later admission to Elizabeth of his decision:

to retire myself to some place where I myt live in quiet and so past to Athole with the ferme intention (as God shall juge me) to have lived in quiet takinge onely caire how by what meanes I myt recover my healthe without any further medling in the public affaires and to let the worlde go as it wolde judging the disease of my countrey ayther incurable or that the due season was not yet procured when it myt proffitably receave medicine which tyme muste breade or at least that I was no fite phisition to take the cure on hand

is to be doubted.⁷⁷ Maitland's modesty in doubting his capacity to effect a solution was uncharacteristic and there does not any time appear to have been any discernible let up in his own diplomatic activity. While Maitland may have genuinely intended to retire from public life there is little chance that he would have been able to enjoy the life of a recluse. An unmonitored Maitland was too dangerous a prospect for the King's party and England to countenance. As it was, much to Lennox's consternation, the pursuit of Maitland by Anglo-French diplomacy as the likeliest means of producing a peaceful resolution of the crisis proved to be the dominant feature of his regency.⁷⁸

Lennox's appointment had finally taken place with Elizabeth's blessing in July 1570. At last he had achieved the position he had craved for decades earlier but the selection of this angry, old man was always more likely to antagonise than conciliate and so it proved. Reconciliation was not a priority for Lennox who was perpetually fearful of an English sell-out through a negotiated settlement. He favoured a more aggressive policy of conquest and had notable successes. Dumbarton Castle was captured in April 1571 whilst the capture of Brechin in August 1570 has been described as the most decisive campaign of the civil war in the east of Scotland.⁷⁹ Whilst Elizabeth was happy to congratulate Lennox on these successes, further progress was seriously impeded by a lack of substantial English support which compounded the already severe dearth of resources available to him. Reluctantly, Lennox was forced to comply with Elizabeth's wishes for a diplomatic solution but all the while doing his utmost to obstruct meaningful negotiations. A truce was finally agreed upon but was marked by constant breakages, many on Lennox's part.⁸⁰ Much of Lennox's aggression was channelled directly against the Maitland family with their estates suffering grievously during his regency. This was a source of acute embarrassment to Sussex and Elizabeth in their attempts to appear impartial in their pursuit of peace even if their allegiance did lie with Lennox.⁸¹

Propaganda In The Civil War

Passing reference has already been made to the impact of party propaganda during this struggle. The part propaganda played in this

phase of the civil war is one of the most outstanding features of this internecine dispute. A decade earlier, propaganda played a conspicuous role in the Reformation crisis. Professor Donaldson has recognised the 'novel appeal to public opinion' made by both sides during that dispute.⁸² The propaganda of the civil war was a development of that novel appeal, which, if it differed little in its conservative emphasis on the commonweal and the defence of the realm contrasted sharply in its bitterness, intensity and volume. It was a development in which the Maitland family figured prominently as both victims and perpetrators and also as protesters.

Maitland's father Sir Richard, who seems to have remained a remarkably passive observer during the war despite the often vindictive treatment of his family at the hands of successive regents, was particularly critical of what he regarded as a highly unsavoury development. Sir Richard, attacked in his poem, Of the Malyce of Poyetis⁸³ those:

Poyetis and makaris yat ar now
off grit despite and malice ar so fow

who sought the defamation

of mony gude honest men insetting
forth yair bukeis and yair rymes.

Sir Richard warned of the personal, retributive dangers awaiting such authors from their victims, who could well confront them saying,

think on ye maid of me ane ballat
now for your reward I shall break your pallat

but it was the wider, harmful effect such offensive literature had on the community as a whole that really concerned him:

Dispytfull poyettis sould not tholit be
in commoun weillis or godlie cumpane

As on many other occasions, his three sons, William, John and Thomas chose not to follow their father's advice.

While William was the butt of much of the King's party propaganda it was his younger brother Thomas who provided one of the most brilliant, amusing and satirical attacks on behalf of the Queen's party. His masterly pasquinade ridiculed the leading protagonists of the King's party including Moray, his faithful secretary John Wood, John Knox, James McGill, Lindsay of the Byres, Wishart of Pittarow and James

Haliburton the tutor of Pitcur and their nefarious aspirations.⁸⁴ It certainly hit several raw nerves and was bitterly and angrily denounced by Knox in the pulpit. It was perhaps in revenge for this successful swipe that Buchanan used the character of Thomas Maitland in his renowned anti-Marian treatise De Jure Regni, which, although not printed until 1579 clearly seems to have enjoyed a wide circulation in manuscript form. Thomas himself felt the need to reassure Mary in December 1570 that he had nothing to do with Buchanan's latest offering.⁸⁵

Maitland's other brother John, the future Secretary and Chancellor of the realm also seems to have inherited his father's literary bent and took an active part in the propaganda warfare. Ane schort inveccyde maid againis the delyverance of the erle of Northumberland is one of three poems attributed to him at this time.⁸⁶ His authorship of this poem is, however, not certain and quite possibly it was not known at the time. It is to be doubted that Morton, the principal target of the poem, and a man not known for his clemency would have shown John the mercy that he did in 1573 had he known him to be the author. The poem depicted Morton as the Scottish Judas who along with his kinsman Lochleven and the other stalwarts of the King's party, Colville of Cleish, Pitcairn, Lindsay, Mar, McGill and the bishop of Orkney were responsible for the treacherous deed. It was Morton, however, displaying the traditional Douglas avarice who was chiefly responsible.

Fals miscreant Mortoun, febill and unkind,
Thy wretchit hairt could never schame eschew !
Thou never was upricht, trustie, nor trew
To friend, to fo, nor to na other man,
On sic vyild treasoun vengeance man ensew
On the and all thy fals degenerat clan.

The *coup de grâce* of this diatribe against Morton was his assertion that:

Had Christ himself been in the Percy's room
I wight ye would have playit Judas' part
gif Caiaphas had offert you the sum.⁸⁷

This bitter, exaggerated and personal invective is typical of the propaganda of the period: along with the heavy strains of self-righteous indignation and appeals concerning the defence of the realm, appeals to the commonweal and religion can be found in abundance throughout the works of both parties. A string of Sempill's ballads, all

printed by the industrious Robert Leprevik such as Maddies Lamentatioun and Proclamation, The Poysonit Schot, and The Admoniton to the Lords (all pro-King's party) bear this out, as do equally subjective pro-Marian offerings such as Tom Truth's defence of Mary.⁸⁸ Interestingly this latter piece published in 1568 castigated Maitland as a traitor to Mary and a 'false Machiavellian', themes that the King's party propagandists were to expound upon extensively from 1570.

George Buchanan was of course at the very heart of the anti-Marian propaganda machine. The tract De Jure Regni, his Detectio and Actio were all valuable weapons in the campaign to detract domestic and foreign support for Mary through the constant sully of her reputation. Cecil, (created Lord Burghley in 1571) recognised this and in 1572 felt, 'that it were not here amiss to have divers of Buchanan's little Latin books to present if needs were to the King of France and likewise to some noblemen of the Council'.⁸⁹ Buchanan's acknowledged role as the Regent Moray's defence lawyer, so clearly evident in the post-assassination hagiography that he did so much to foster was perfectly complemented by his plaintiff stalking of Maitland, seen at its most bitter in his Chameleon. Yet Buchanan was not alone; The Crukit Leads The Blind and The Bird in the Cage were all aimed principally at Maitland as the 'very soul of the Queen's party'.⁹⁰ King's party propaganda that made no passing, scathing mention of Maitland was scarce.

All these works confirm Maitland's guiding influence over the Queen's party and in particular his hold over Athol, Hume, Grange, Seton, Châtelherault, and Huntly as well as offering a begrudging tribute to his powers of political guile. The 'scurvy scholar of Machiavelli's lair' was a man to be feared whose reputation went before him:

The Quene his doingis sair did rew
and richt sa did hir Mother:
The counsall kennis if he was trew
To him that was hir brother.⁹¹

Yet there was more than a hint of envious resentment in the admission of Maitland's ability to perform apparent impossibilities which the King's party had so recently benefited from:

They say he can both quhissil and cloik
And his mouth full of meill⁹²

The Chameleon in particular provides several useful snippets of

otherwise abtruse information. Buchanan gave specific details of Maitland's kinship connection to the Hamiltons by disclosing that John Hamilton of Cochnoch was Maitland's cousin. This is a connection which should not be underestimated and is testament to the extensive kinship network Maitland was able to exploit to his advantage during the war. Buchanan also helps to piece together the movements of Maitland and the Queen's party following their dispersal after Sussex's intervention in mid-1570. The meetings at Dunkeld and Strathbogy are well enough known but the same is not so true of the meeting at Breadalbane, where as in other gatherings Maitland was busy 'plotting directionis to put ye king out of his estait, his realme and at lenth out of yis erdlie lyff'.⁹³ There is little need to go into the details of Buchanan's familiar vitriolic charges against Maitland here. However, perhaps an extra twist in Buchanan's bitterness towards Maitland which was strictly a post-1567 phenomenon and in sharp contrast to his earlier warm regard for the Secretary can be. Quite possibly Buchanan, through his mother Agnes Heriot was loosely related to Maitland through the marriage of Maitland's sister to James Heriot of Traboun, himself a loyal Queen's man.⁹⁴

All of the party pamphlets, tracts and diatribes that have been hitherto referred are well known and readily available in print. Not so well known but nonetheless pertinent is a manuscript housed in the State Paper collection in the P.R.O.; it is a nine-page, anonymous dialogue of 'twa wyfeis' in an Edinburgh tavern endorsed by Cecil as '30 April 1570; a Scottish dyalog betwixt 2 Scott. women of ye state of Scotland'.⁹⁵ This document, bearing much fascinating information on this phase of the war, has been so ignored by historians that even the editor of the State Papers failed to recognise in his brief calendar entry that Maitland was one of its principal targets. The dialogue is abundant in its criticism of the Queen's party, attacking in particular Maitland, Athol, Châtelherault, Lesley, Herries, Hume, Huntly, Boyd, Borthwick, Yester and Somerville whilst toasting the immortal memory of Moray, who was turning in his grave due to the lamentable state of the realm. Quite apart from being a fairly typical, anti-Queen's party diatribe, this document is arguably the most detailed contemporary exposition of the popular Scottish interpretation of the political

principles of Machiavelli, who seems to have held a seemingly obsessive fixation for the civil war propagandists.

It is clear from this document that the popular Scottish interpretation of Machiavelli was no different from the popular interpretation (many would argue misinterpretation) and reputation the Italian earned elsewhere. Copies of The Prince and the Discourses were almost certainly circulating in Scotland long before 1594, which is the date of the library inventory of Bishop Adam Bothwell who possessed French translations of three Machiavellian texts.⁹⁶ As early as 1553 the first French translation of the Prince was dedicated to the then Governor of Scotland, and second person of the realm, Châtelherault, by the learned companion of Ronsard, Gaspar d'Auvergne.⁹⁷ It has been argued that it can hardly be doubted that the Prince 'either in translation or the original was widely known in cultured and court circles in Scotland throughout the second half of the sixteenth century'.⁹⁸ Thomas Maitland's earlier referred to *jeu d'esprit* provides further evidence to support such an argument. Thomas poked fun at the King's party's obsessive tarring of the Queen's party as Machiavellian disciples but the remark he put in the clerk, Blair's mouth that 'Matchiavel is an evile booke and I would he had beene burnt seven yeeres since', suggests that Machiavelli was circulating in printed form in Scotland long before 1600 when William Fowler made use of d'Auvergne's text for his own Scots translation.⁹⁹

However, perhaps what this document provides in terms of the debate concerning the influence of Machiavelli in Scottish politics, is further evidence to support the view that there were two conflicting traditions of Machiavellian interpretation in Scotland: one, relatively informed through acquaintance with d'Auvergne's text or copies of it and the other, a cruder, more popular interpretation promulgated by the propagandists.¹⁰⁰ This popular Scottish interpretation of Machiavelli was hardly sophisticated and certainly not based on the close scrutiny of any particular Machiavellian text. It must be acknowledged, however, that there was enough material in either the Prince or the Discourses to shock sixteenth-century sensibilities and to support the notorious reputation Machiavelli earned.

The popular opprobrium heaped upon Machiavelli's work is not the

least of the many ironies of the age. Machiavelli had merely put into print what politicians across Europe had been practising long enough. However, in the best traditions of 1066 And All That, it was clearly a very bad thing to embrace in theory the unsavoury realities of the practice of political power. Consequently, self-righteous indignation and a certain amount of hysteria surrounded any imputation of Machiavellian influence and by the time of the civil war, Machiavelli was a by-word for atheism, tyranny, treachery and deceit. This document is the perfect embodiment of that, delineating in great detail the alleged political principles of Machiavelli and castigating the entire Queen's party as disciples of the Italian knave.

The dialogue is of especial significance for Maitland. It depicts him as the Machiavellian 'scole master', the brains behind the 'glaikit cumpane' of the 'lords of the meill mercat', indoctrinating the Queen's party with the wisdom of 'Michaivell Wylie'. Incidentally, the Machiavellian allusions in this document provide a restatement of Knox's accusation of Maitland as an atheist and his much vaunted gibe of religion as but a bogle.¹⁰¹

Speculation as to the authorship of the dialogue is interesting but inconclusive. It certainly bears the stamp of two of the chief King's party propagandists, Bannatyne and Buchanan. Interestingly, many of its terms of reference are not unfamiliar to the author of the Historie of James the Sext. References to the Queen's party as the 'lords of the meill mercat' can be found in the pages of that work, as can a description of Maitland as 'sufficientlie studiet in the preceptis of Nicolas Machiavel'.¹⁰² The analogy of Maitland as the 'scole master' and his house as the 'scole' is one that Buchanan used, whilst the derogatory references to John Major are also reminiscent of Buchanan's later contempt for his former master.¹⁰³ Similarly the references to Maitland's 'heid of wit' are familiar enough to readers of Bannatyne as one of his favoured epithets for his arch-enemy.¹⁰⁴ Yet, whatever the actual provenance of the dialogue it provides a striking illustration of many of the major themes of the propaganda of the civil war.

The dialogue is preceded by a prologue which explains that it is modelled on the example of John Major's logic classes with the speakers termed respectively horse and mare. The 'taill' begins with the 'twa

wyfies' expressing the seemingly perpetual view that things had never been worse, goods never more expensive and the weather positively apocalyptic, 'as if Domesday be neir' before launching into its severe diatribe on the 'lords on the meill mercat'. It was they 'who herd everie day and convene as bairnis to ye scole up in ye secretaris house to learne wisdom, for yai say he hes ane heid of wit'. Maitland, it transpires, is imbuing the 'glaikit cumpane' with the principles of Machiavelli which he himself allegedly had learned from John Major at St Andrews University. The accuracy of this particular allegation must be challenged. It is exceedingly unlikely that Major would have sought to imbue his students with the devious precepts of Machiavelli although it is possible that Maitland as a student at St Leonard's in 1540 may have encountered the East Lothian scholar who taught at St Salvator's from 1536 to 1553.¹⁰⁵ At any rate as far as the 'wyfies' were concerned Maitland was responsible for the corruption of the Scots lords by teaching them the erroneous precepts of Machiavelli. An extract of which is given below.

A: Quhat new lerning teiches that buke of yairis?

B: Now mony new thingis as schowis ye grit folie of our forbearis and first quhow ane king should be brocht up.... The first preceptis that he be of na religion for yai say that religion is to men as ane bogill to bairnis and kepis yaime fra mony plesouris and makes yame towart in fearing of punicion in ane vyir world for thingis done in this world. Nixt that ane man suld cast him alwayes to win geir and care not on quhat faschoning for ane pourr man is bot ane schadow of ane man and silver is ane manis saull, lyfe and paradyse ye qlk yai move be ye buke of pocalppis yat sayis that paradys is all beildet of gold and precious stanes. The third principall poynt is yat ye best net in ye world to tak fuills is ane fair promise, ane subscription and ane fals aith.

As an accurate appraisal of the political principles of Machiavelli it leaves a great deal to be desired but that is hardly the point. It seized on the popular perception of Machiavelli to slur the entire cause of the Queen's party as a Machiavellian ruse. The Queen's men were motivated by completely selfish desires. The cause of Marian restitution was nothing but 'ane cloik to uther crymes...The quenis auctority is pretendit be al and menit be nane'. This last gibe hits at the heart of the fundamental debate earlier acknowledged as to the true rationale behind the Queen's party. The 'wyfeis' were sure that Mary's restoration was not really intended and pointed to the basic

implausibility of such an aim, 'For how can yai put hir in aucturity yat can not put hir in hir own chalmer', before proceeding to launch an acerbic attack on the Machiavellian motives of specific members of the Queen's party.

The Hamiltons were prime targets and Châtelherault's motives in particular were challenged with the constitutionally correct statement, 'for he that be ane King most first be Duke'. The view was put forward by one of the women that the Duke 'and his bairnis ar bot ane nest of fuilles' but her drinking partner was quick to point out 'howbeit he seme to yow he hes mony poyntis of Machiavellis wisdome he cares not for religioun, for na ayth nor princis ... he estemis silver uver al thingis'. The wyfeis uncomplimentary characterisation of Châtelherault was not without some justification as any student of this period can vouch. The Machiavellian comparison was particularly apposite given the fact noted earlier that the first French translation of the Prince was dedicated to him. Similarly, the sincerity of Châtelherault's attachment to Mary has already been questioned in the light of his instructions to David Chalmers to ensure foreign support for his own appointment as regent in the event of Mary not being restored.

Other members of the Queen's party did not escape the 'wyfeis' opprobrium. Argyll and his close associate Boyd were lampooned as 'ye gook and hir titling'. Argyll was 'ane scoler of Machiavellis' whilst Boyd had past twa universities' in Machiavellian deceit. The military power of Argyll was alluded to with his redshanks being equated to 'ane of the plagues of Egypt'. Cassillis, Argyll's cousin was dismissed as an inconstant waverer which seems a more than fair assessment but curiously Cassillis was alleged to be guided by the obscure Andrew Gray, 'his heid of wit'. Hume was described as Maitland's slave whilst the Machiavellian abilities of Maitland's younger brother (either Thomas or John) were criticised. Herries, it was alleged was so conversant with the principles of Machiavelli that if Maitland died he would be the perfect replacement as 'scolemaster'. Borthwick and Yester were described as 'lustie young men' who regrettably 'ar gydit by yair sheip'. Somerville was 'abill to infect ane army' and the consequences of his consorting with the Hamiltons was greatly feared. Oliphant, along with Eglinton and Marischal, were allegedly being bought with French money.

Crawford was acknowledged as a member of the Queen's party although again quite accurately it was said that 'few of the Lindsays followis him'.¹⁰⁶ Athol was beautifully described as, 'nither heit nor cauld, he fisches on the brayis and out of dangear.... firme to na partye and reddye to bayth'.

The dialogue also offered certain qualifications on the powers of 'the King of the north' - Huntly. Although his ability to 'bring him alane mair than al ye contrary pairte may be' was admitted, the 'wyfeis' believed that in the same way as his father's influence had been limited by the traditional 'northland habit ... which is ginourly trew yat yai cum lait, bringis few, and bydis schort tyme' so too would his. Unfortunately for the King's party, Huntly with his rival administration in the north posed a far more potent threat than the 'wyfeis' predicted, as Lennox in particular was only too well aware.¹⁰⁷

The dialogue closed with the expression of the wyfeis firm belief that justice would prevail with the King's men triumphing over their evil enemies. The chief reason for this expectation was the straightforward *raison d'être* of the King's men in contrast to the Queen's party which was riddled with particularism despite the pretence of devotion to Mary. 'Ye maintaining of ye Kingis auctorite and to do justice ane thing favorit by ye haill body of Scotland be yame that are nolder gilty of ye King nor regent's slauctor' was in stark contrast to their motley, machiavellian opponents, 'sum murthiraris of ye King, sum muthiraris of ye regent and sum of bayth' who harboured, 'ye quene of Inglandis rebellis the said being enemies to God and to ye king of Scotland'. With the comforting thought of the impending defeat of the Queen's men the 'wyfeis' returned to their drink.

Whilst the specious nature of many of the 'wyfeis' partisan allegations must be acknowledged, not least their insistence in the altruistic purity of the King's party, the Dialogue nevertheless illustrates several of the major characteristics of the civil war propaganda. Its factual inaccuracies are particularly symptomatic of the extremely subjective literary output of both parties. Its consistent attempt to identify the Queen's party as contemptuous of religion, as enemies to both God and Scotland is in keeping with the great efforts of both sides to portray themselves as the true upholders of the

religion and the defenders of the commonweal. This is despite the fact that the most cursory of glances through the ranks of both parties - at any time during the civil war - shows conclusively how unsatisfactory the notion of the conflict as a sectarian dispute is.

Religion And Kinship In The Civil War

Religious affiliation exercised very little influence as a determining factor of party allegiance during the civil war. This fundamental fact was even accepted by several leading English and Scottish divines. Edmund Grindal, Archbishop of York and future Archbishop of Canterbury seems to have grasped it better than most: 'For each party even when the dispute was at the highest, professed as they still do, the doctrine of the gospel'.¹⁰⁸ Superintendent Spottiswoode lamented the fact that the Queen's party enjoyed the support of 'such as were esteemed the principal within the flock'.¹⁰⁹ Argyll was certainly one of those. Few had a more distinguished Protestant pedigree than him yet for the vast majority of the civil war he was opposed to the authority of the King. Conversely the consistent support of the Catholic, Sempill for the King's party along with the allegiance of Athol until 1570 shows that the King's party was never, despite pretences to the contrary, the exclusive preserve of the elect.¹¹⁰

There were those, of course, who preferred to take a more simplistic, confessional view of the proceedings. Bishop John Jewel of Salisbury believed the King's party to 'cherish the pure religion and the gospel and depend on us, the other are enemies to godliness and friends to popery and are inclined towards the French'.¹¹¹ Following the St Bartholomew's Massacre, however, it became more common for the civil war to be viewed in sectarian terms. The testimony of Bishop Parkhurst supports this view. In August 1571 he informed Henry Bullinger that 'the true religion is flourishing in Scotland. But the nobles are sometimes quarelling with each other not on account of religion to which all parties are favourable but for the custody of the King'. However, in a letter of 1573 to the the Zürich-based reformer he preferred to relate the triumph of 'the godly Scots' over 'the papists'.¹¹² He was not alone in seeing the fall of Edinburgh Castle in terms of an international Protestant triumph. In a letter to Leicester

of May 1573, the earl of Huntingdon saw the loss of the Huguenot stronghold of La Rochelle being compensated by the victory in Edinburgh.¹¹³

The King's party clearly felt there were advantages in terms of obtaining much needed domestic and English support in identifying the restoration of Mary with the restitution of Catholicism. They spent a good deal of time portraying themselves as the Protestant party with the consequence that the Queen's party devoted an equal amount of their literature to the refutation of 'malicious calumnies', that they intended 'the subversioune and alteratioune of the stait of trew religioune and danger to the professoris thair of'. On the contrary, it was they who were the protectors of the 'commoun weill and libertie of thair native cuntrie' who not only 'hes professit and does profess the same trew religioune' but 'war of the first and chiefest instrumentis of the promotioun, continowance and establishing thair of'.¹¹⁴

It would, however, be equally facile not to recognise that there were those whose allegiance could be said to have been dictated by their religion and to ignore the more complex role religion played in the civil war as a whole. It is undeniable that Mary and the Queen's party provided a focus, however misplaced, for Catholic aspirations. Similarly it would not be unrealistic to argue that the Queen's party and Maitland in particular were happy to exploit these aspirations for the restitution of Catholicism in the hope of obtaining assistance for the separate and purely secular restoration of Mary. The Bishop of Ross confirmed as much when he admitted to Maitland, 'We wil not refuis the aid nouthir of Papist, Jow nor Gentil'.¹¹⁵ Maitland certainly cultivated some very dangerous Catholic connections which did little to enhance his own or the Queen's party's reputation in the eyes of the English government. For Maitland, however, it was probably just a case of business as usual. He had shown himself throughout Mary's reign to be more than capable of doing business with Catholics in both domestic and foreign affairs. Yet, even Maitland seems to have surpassed himself in the amount of dealings he was prepared to conduct with those who ten years earlier he had fought against as the troops of the anti-Christ.

Amongst the most notable of Maitland's Catholic contacts was Nicholas Sanders.¹¹⁶ The Elizabethan exile, controversialist and

historian, who was regius professor of theology at Louvain corresponded with Maitland and sent him a copy of his magnum opus, De Visibilis Ecclesia Monarchia, promising him every assistance in the quest for the twin restitution of Mary and Catholicism. Perhaps even more remarkable were Maitland's efforts to obtain papal assistance via Archbishop Beaton to ensure the Abbacy of Kilwinning for his 'kinnisman James Hamilton of Nelisland' nephew of the recently deceased Gavin Hamilton.¹¹⁷ It is amusing to contrast Maitland's respectful reference to the papal provision made for his kinsman in 'anno millesimo quingentisimo quinquagesimo primo, pridie Nonas Septemb ris Pontificatus Julii tertii secundo' to ensure that the benefice 'may be saved from that tratour Glencairn' to his consistently disrespectful allusions to the papacy throughout the last decade.

Maitland's Protestantism had seldom been that of the more radical ministers and in this final phase of his life his declining relations with the Kirk plunged to new depths. His stormy relationship with Knox continued to the end. Maitland's last recorded insult of the conveniently nomadic minister of Edinburgh was to describe him 'as but a drytting prophet'.¹¹⁸ He bitterly attacked Knox's denunciation of him as an atheist and the allegation that he had dismissed heaven and hell as 'thingis devysed to fray bairnis'. Maitland was even brass-necked enough to demand that Knox should feel the discipline of his own kirk session for his slanderous and false accusations.¹¹⁹ Similarly, his well-documented clash with the mediatory overtures of the commissioners from the General Assembly, probably John Winram and John Craig, in June 1571, illustrates his complete estrangement from the clerical guardians of the reformed faith.¹²⁰ He seemed to take great delight in reminding the reformers when they charged him with being disrespectfully disobedient to the established power and authority of the King that he remembered hearing not so long ago:

Mr Willockis, Mr John Row and the rest of you, preiche concerning the papistrie, that albeit the same was established be long continowance and the autoritie of princes, yit sould the samen be rejected without order ... and not to tarie till the lyke order sould be usit in setting down of it as was usit in the establishing of it.

For Maitland the parallel with the present situation was exact and he put a new slant on the notion of tarrying for the magistrate when he

said, 'Evin so I say of the Kingis authority that we neid not tarie till the same be set down be the self same order that it was erectit for that perchance mycht be too long'.¹²¹

Perhaps though it is the wider international dimension of the civil war that provides the sharpest insight into the influence of religious factors over the outcome of the struggle. The long drawn-out negotiations of the Queen's party with the major Catholic powers, particularly with the greatly feared Alva, lying so perilously close in the Netherlands, posed the potent prospect of the Counter-Reformatory dream ticket of a Marian and Catholic restoration.¹²² However, it is clear that the association of the Queen's party with the major Catholic powers did their cause more harm than good in the long-term. It is true that the threat of assistance from the Catholic powers acted as a brake upon open and decisive Elizabethan intervention in Scotland, for Elizabeth admitted as much.¹²³ Yet far more significant than this short-term advantage was the adverse effect in terms of stiffening Elizabeth's resolve to act decisively against Mary that the Queen's party's association with the major Catholic powers produced. The Spanish provenance of the Ridolfi plot had the damaging effect of drawing France and England closer together and facilitated the conclusion of the Treaty of Blois in April 1572. Despite the fact that no involvement of Mary and her Scottish supporters could be discerned in the carnage of St Bartholomew's, such was the backlash that this awesome manifestation of a militant, French, anti-Protestant policy produced, that the traditional perception of Mary as a French Catholic and the Queen's party as the Scottish arm of the auld alliance ensured that they were recognised as guilty partners in the crime.¹²⁴

As an interesting aside it is perhaps worth noting that whilst the association of the Queen's party with the Catholic powers of Europe did little to advance their cause, the benefits to Protestantism of the Kirk's establishment support of the King's party must also be questioned. The defeat of the Queen's party did, it is true, effectively end the already remote prospect of a restoration of Catholicism. However, whether the interests of the Kirk were actually served any better by the avowedly Protestant Morton than they had been by their Catholic Queen is open to question. It is intriguing to speculate as to

whether, if the Queen's party had succeeded in their ostensible aim of restoring Mary how the fortunes of the Kirk might have fared. Is it too outrageous to suggest that perhaps the Kirk suffered more under Morton than it would have done under Mary?

Before returning to the events of the Lennox regency one final aspect of Maitland's role in the civil war ought to be analysed. This is the perception of Maitland by the King's party as the guiding force behind the Queen's party. This view, shared by the propagandists and political observers alike was not an ill-founded one. Generally, Maitland's pre-eminent position has been put down to his unparalleled diplomatic, political abilities and his experience in keeping disparate forces together.¹²⁵ Another, equally important feature that probably helped Maitland to exert some sort of effective control over the party has, however, tended to be ignored. This is the extensive and influential network of support based upon a combination of kindred and personal ties, which he had built up over the years and into which a good many of the leading members of the Queen's party were drawn.

Maitland's links of kin with several leading figures of the Queen's party is striking. His marriage to Mary Fleming was invaluable in this respect, adding Athol and Fleming to his list of influential brothers-in-law and opening up an important Hamilton connection to add to the useful connections his own Maitland family could claim.¹²⁶ His relationship with Athol seems to have been particularly close and was picked upon by the propagandists who referred to him as Athol's 'head of wit' and guide. Mary Fleming gave birth to Maitland's daughter in Athol's house in July 1570 and it seems certain that Maitland was decisive in winning Athol over to the Queen's side.¹²⁷ There is also evidence to suggest that Maitland was able to intervene successfully in the complex Argyll-Athol feud involving Campbell of Glenorchy, that had earlier seen the two earls supporting opposite parties in the civil war. Maitland, through his close friendship with both Campbell of Glenorchy and the earl of Atholl was instrumental in the creation of a united Campbell-Stewart front; consisting of Argyll and the Glenorchy kindred and Atholl, William Stewart of Grandtully, Menzies of Weem and Murray of Tullibardine.¹²⁸ The Fleming marriage was helpful in other respects too. While not related to the Flemings, Adam Gordon of Auchindoun,

Huntly's younger brother, arguably the most effective of all the military assets of the Queen's party after Kirkcaldy, apparently owed his life in the aftermath of Corrichie in 1562 to the intervention of Mary Fleming, a useful favour for Maitland to be able to call in.¹²⁹ Similarly, the close relationship the Flemings had enjoyed with the Livingstons was not a disadvantage for Maitland when Livingston was so actively involved as Mary's envoy in these years.¹³⁰

The contribution of Maitland's more immediate family should not be underestimated. It clearly was not by the King's party who ensured their extensive forfeitures. It was the sins of his children, John and Thomas - who both actively followed the lead of their elder brother - rather than his own contribution that was responsible for the severe treatment Sir Richard suffered at the hands of the victorious King's party. As Sir Richard later bitterly complained to Elizabeth (unsuccessfully as it turned out), such logic whereby 'for the sonnes offence the father deserveth punishment' was 'agreeable to na law of god nor man'.¹³¹ George, fifth Lord Seton was probably the most famous Marian of Maitland's relations but he was also able to enlist the useful support of his sisters' husbands in the Queen's party. Conspicuous amongst these were Heriot of Traboun and John Cockburn of Clerkington, the latter of whom seems to have assisted Thomas Maitland's efforts to procure overseas aid for the cause.¹³² It was also alleged by Lord Hunsdon in a letter to Burghley that Murray of Tullibardine had married one of Maitland's sisters, although corroborative evidence for this statement has proved elusive as has Hunsdon's claim that Tullibardine was Mar's brother.¹³³ If it is true however it provided another valuable connection and helps explain Tullibardine's strenuous mediatory efforts to bring the two parties together.¹³⁴ Also conspicuous in his support of the Queen's party at least until 1572 was another of Maitland's kinsmen Hugh, Lord Somerville, whilst the support of Robert Maitland, a cousin and influential long-term ally of Maitland, being a Senator of the College of Justice and the dean of Aberdeen was also a positive advantage. His physical efforts in helping to convey Maitland to the castle in 1571 are amusingly recorded in Bannatyne.¹³⁵ Maitland was also assisted by the cadet Auchengassil branch of the Maitland family with John of that

ilk suffering forfeiture and not having the terms of the pacification of Perth extended to him until 1578.¹³⁶

There is evidence however to suggest that the support of the wider Maitland kinship network for Mary was not unanimous. The laird of Carmichael, who was described by Morton as Maitland's cousin seems to have been able to maintain credit with both parties. The behaviour of Maitland's grandparents the Cranstouns of Corsby is another case in point. The Cranstouns' allegiance was, however, disputed by the Regent Mar. The debate surrounds Maitland's complaint on behalf of 'the Goodman of Corsby' very probably Maitland's grandfather, seventy six years old and blind with age, who, despite having 'served and obeyit continually theyr usurped authority' had seen his lands ravaged by that rapacious reaper of Maitland territory - Alexander Hume of Manderston. Mar, however, refuted Maitland's claims angrily renouncing them to Hunsdon, the English official stating 'had the Cranstons all being as true servants to the King as they were Lethington's near kinsmen and earnest fautoris little mention of that matter had been in the answer'.¹³⁷ Yet, taken overall, Maitland's family in this post-1570 period appear to have been outstanding supporters of the Marian cause.

Equally significant was the firm hold Maitland was able to exercise over several highly influential friends. Kirkcaldy is the obvious example here. Quite apart from his captaincy of the Castle and Provostship of the burgh, Kirkcaldy was also able to bring with him the valuable assistance of his two brothers, James and Thomas. Their friendship which can be traced back to the embryonic days of the Congregation was one of the few to last the difficult course of the years 1559 to 1573.¹³⁸ Of similar long standing was Maitland's friendship with Sir Robert Melville, first Lord of Monimail. This perhaps explains the more generous treatment (by contemporary standards) afforded to Maitland in his brother's unreliable memoirs. Maitland was able to benefit from the unstinting support of the 'loyal Melvilles'; Captain David, Sir Andrew and Walter were all devoted Marians. Robert and Andrew remained in the Castle until the bitter end.¹³⁹ The support of Alexander, fifth Lord Hume for the Queen's party was similarly no doubt bolstered by the great personal friendship he had with Maitland. In warning Sussex that he would face his own wrath

if any harm came to Hume, Maitland described Hume as 'a Scotishman and so my countryman whom for the nation I must favour besides that he is particularly one of the dearest friends I have...'.¹⁴⁰ Maitland's influence and that of the aforementioned Robert Maitland may also have been responsible for the influential Edinburgh lawyer and burgh official Clement Little being prepared to 'trim his sails' during the Queen's party's occupation of the capital until late June 1571 when he finally left for Leith.¹⁴¹ Maitland was also able to exploit his friendship with Scots overseas. Throughout the personal reign of Mary he appears to have maintained an active correspondence with Archbishop Beaton which he particularly capitalised on in this period.¹⁴² Similarly, the Scottish Conservator of the staple at Veere, George Hackett, a vital link and focus for several efforts to obtain Spanish assistance for Mary and a committed Marian, was an old class-mate of Maitland's from St Andrews in 1540.¹⁴³

It is not difficult to understand why Maitland was perceived by the King's party as the 'very soul' of the Queen's party. They probably realised that if anyone could hold the Queen's party together as an effective and cohesive unit, Maitland could. They knew only too well at first hand his immense political and diplomatic skills which had been used to their benefit in the earlier phase of the war. They were also probably a lot more aware than subsequent historians have been, of Maitland's vast personal influence over so many significant and powerful figures in the war, a brief indication of which has been given above. Bannatyne caustically but percipiently noted Maitland's ability to 'lay a plaster over the wound of variance' that lay at the heart of the Queen's party.¹⁴⁴ It was this that also lay at the heart of the King's party fear of him and why he was so often the target of so much of their propaganda.

Maitland's Justification Of His Conduct

Attention ought now to be re-focused upon the brief but eventful fourteen-month Lennox regency. It was during this turbulent period that Maitland provided what has rightly been regarded as his apology and justification of his conduct during the civil war. This can be gleaned from two separate sources. The first is Maitland's lengthy

correspondence with the earl of Sussex which began just prior to Lennox's appointment in the Summer of 1570 and the second, the stormy conference earlier referred to, of May 1571 between Maitland and Balfour on the one part and the representatives from the General Assembly, John Craig and John Winram on the other.¹⁴⁵ Taken together, the two provide Maitland's admitted rationale for his part in the deposition of Mary, his subsequent fall-out with Moray and his ultimate return to the allegiance of his Queen.

The correspondence with Sussex occasioned Elizabeth's famous, 'Flower of the wits of Scotland' remark as a tribute to Sussex's ability to cope with the notoriously brilliant Maitland.¹⁴⁶ Maitland displayed the full range of his legal, philosophical, spiritual and political erudition in his defence against Sussex's accusations and he had good cause to do so. Sussex accused him on very good grounds of inconstancy and hypocrisy, forcefully reminding him of his major part in Mary's downfall, his earlier championing of the King's authority and urged him to return to his former allegiance. Craig and Winram placed exactly the same charges against him and it is their confrontation which will be dealt with first.

Maitland stole the thunder of the clergymen's accusations by openly admitting his part in the downfall of Mary. He seemed to take particular pleasure in avowing that her deposition and the coronation of James could not have been done without him or his expertise: 'Ye and farther without me they had nather the knowledge, wisdom, nor moyen to performe the same'. As noted in the previous chapter, this confrontation was the occasion of Maitland's admission of James' coronation as a temporary 'fetch' and his complete retraction for his earlier behaviour: 'for my owin part plainlie I confess I did verie evill and ungodly in the upsetting of the kingis authoritie for he can never justlie be king sa long as his mother lives'.¹⁴⁷ Maitland then launched a bitter attack on the King's party and there were many in the Queen's party who were only too happy to go along with his carefully selective analysis of the progressive phases of the civil war. The convenient distinctions he drew between the justifiable opposition at Carberry and his dismissal of the subsequent deposition and coronation as 'but ane fetch' and the now indefensible opposition the King's party were

maintaining were attractive to many. At any rate Maitland was convinced that he spoke for the majority, 'That which I speik the whole noble men in this town and utheris here present will affirm the same'. He was probably right.¹⁴⁸

Maitland resorted to a more sophisticated defence of his conduct to Sussex, although his basic interpretation of the pattern of the civil war remained the same. The arguments he used in this lengthy correspondence shed a great deal of light on Maitland's career as a whole. Through a series of detailed arguments, Maitland showed the depth of his learning. Drawing upon the examples amongst many others of Plato, Cicero, Zeno, Aristotle, the jurists, scripture and particularly St Paul, he made it clear that the very inconstancy he was charged with - and is largely remembered for - was to him an essential political virtue.

Maitland's tussle with Sussex raises once again the spectre of Machiavelli. It does seem more than likely that Maitland was conversant with the works of Machiavelli. His basic political premise bears a striking resemblance to the Italian's insistence found in chapter 25 of the Prince and also in the Discourses on the need for the adaptation of policy to particular circumstances and environment. Maitland was no stranger to Italian cultural influences and in this respect - as noted in chapter one - a parallel can be drawn between him and one of his predecessors in the office of Secretary, Sir Thomas Erskine, a student at Pavia.¹⁴⁹ It was in all probability Machiavelli to whom Maitland was referring when he told Sussex:

I remember I have redde in a good author one that in his time was no prentice in the politique science beinge from his youth brought up in that trade, it was never praised in those that were excellent in the government of the commonwelthe to remaine always perpetuallie in one opinion but as in saillinge it is a chief point of the master's arte in ruling his shippe to applie his course as the stormie blastes of winde and wether shall dryve him so in the politique actions of all states tyme must beare a great swinge to teache men how farre they may follow the trade they have begonne or where they shall change to direct their course an other waie.¹⁵⁰

Maitland's entire career is illustrative of his firm grasp of this precept. As contemporaries were wont to observe, Maitland always had more than one string to his bow.

The tortuous nature of much of Maitland's detailed arguments,

particularly those concerning the niceties of 'bonum and malum' is illustrative of the bitter determination of both sides to prove that they had right on their side. It also emphasises the sheer complexity of the civil war and the volatile nature of the allegiances of those involved. In their intense and very clever debate, Maitland and Sussex had to contend with the major volte-face both England and Maitland had performed in respect of their allegiance and attitude to the Marian question. Maitland was not slow to argue that if he was guilty of inconstancy so too was Elizabeth. Sussex rightly insisted that Maitland had been amongst those who had earlier demanded harsher action against Mary by Elizabeth yet equally, Maitland was right to insist that Elizabeth's attitude on the same issue had hardly remained constant. Unlike Elizabeth - who denied any change - Maitland was able to point to the greatly changed circumstances to justify his change of heart. He did not agree with Elizabeth's and Sussex's conviction 'that the persons be still the same, the causes the same and the matter the same'. According to Maitland:

tyme hath changed many thinges. The affections of men are changed in both the realmes and the persons are altered, there be more persons than the two queens to be considered, the person of the late regent was a circumstance of no small moment which with the Regiment itself was extinguished and that state which then was utterly confounded.

Maitland felt these serious changes necessitated all parties 'to have recourse to a new remedie which I thinke the beste you knowe'. Maitland's civil war was largely spent attempting to win Elizabeth and her government round to accepting his 'remedie'.¹⁵¹

Maitland's consistent exploitation of the language of the commonweal throughout his career to justify his actions is evident again on this occasion, 'The chief thing we ought moste to respect is our countrey the common parent of us all and the quiett thereof. To that end we muste directe all our actions'. Maitland was convinced his conduct had been consistent with this fundamental principle. He insisted that he had always favoured a negotiated settlement to the crisis and claimed that there were many 'bothe Englishe and Scotishe... yea even of those which be nerest about the Quene your mystress and I truste hir self wer also privy' to his consistent attempts 'within a monthe or thereabouts after the last regent accepted the office' to reach an accord with Mary. Much

less credible were Maitland's denials of any knowledge of the 'secret practices and open actions' of Mary's supporters in England and Scotland. Evidence to the contrary is overwhelming.¹⁵²

Maitland's dismissal of Seton's mission to Flanders as an attempt to prevent Spanish intervention and of his brother Thomas accompanying Seton on the same journey, merely to keep his cousin company and to see a bit of the world at the same time is suspicious to say the least.¹⁵³ The English government had evidence that one of Lethington's servants, Thomas Cowy, had been industrious in recruiting the assistance of France and Spain. Cowy, cannot have been the most inconspicuous looking of spies. He was described by Randolph as, 'a very young man and his head almost all white, a slender body, evil face and little beard'.¹⁵⁴ Maitland was unquestionably involved in the attempts to enlist foreign aid for the Queen's party, both in what can be regarded as the mainstream strategy with their strongly Marian emphasis and also with the alternative efforts such as those conducted by Châtelherault via David Chalmers. It is hard to imagine Maitland, with his close association with the Hamiltons being unaware of this alternative policy. The personal animosity between Maitland and so many members of the King's party must have been a strong factor encouraging him to support any initiative which would lead to the defeat of the King's party.

The depth of the differences in opinion between Maitland and Sussex as to the justice of their respective causes is indicative of the increasing bitterness between the King's and Queen's parties and their failure to come to peaceful terms with each other. Attitudes were becoming more and more entrenched as personal animosity, fuelled by forfeitures and the spoils of numerous military encounters combined to decrease the likelihood of a negotiated settlement. Taken as a whole, the Lennox regency - despite the external efforts to bring the two sides together - did very little to advance the prospect of a negotiated peace.

The Lennox Regency

Although the Lennox regency witnessed a steady decline in the Queen's party's fortunes, the prospects of a solution either by conquest or

diplomacy were as remote as ever. The Queen's party had undoubtedly been reduced to dire straits. The defection of Argyll and Boyd added further strength to the main core of the King's party, made up of Lennox, Morton, Mar, Glencairn, Buchan, Glamis, Lyndsay, Ruthven, Methven, Cathcart, Ochiltree and Sempill.¹⁵⁵ In August 1571 Maitland sadly reported that Eglinton and Cassillis, Crawford, Montrose, Menteith, the Master Marischal, the Master of Errol, Yester, Borthwick and Drummond could all be counted as King's men.¹⁵⁶ This together with the loss of Dumbarton, Morton's seizure of Brechin and the execution of Archbishop Hamilton severely weakened the Queen's party's aspirations. It was probably only the definite attachment of Kirkcaldy of Grange following his 'outrage' of December 1570, which secured the Queen's party's hold on the town and Castle of Edinburgh, together with the continued effectiveness of Huntly's rival administration in the north that prevented the death knell ringing even louder for the Queen's men during Lennox's regency.¹⁵⁷

In an attempt to restore some semblance of cohesive unity to the Queen's party, Maitland had been forced to return to Edinburgh in April 1571 to effect an assembly of their supporters. According to Maitland's correspondence the 'hail bourdin' had fallen on Huntly and himself and despite being:

so diseasit in my persone that I was nather abil to ryde nor gang. Yit knowing that if I refusit it wald serve for a stay to the rest I set al danger asyd and quhair I mycht not be careit be land, I come by sey and almost baith at ane tyme Huntly and I about the second of April last.¹⁵⁸

Maitland's journey enabled the Queen's men to reduce their opponents to the indignity of the 'Creeping parliament' in the Canongate while they were able to hold their own parliament in the more traditional Tolbooth, together with the requisite regalia. However, the respective procedural dignity of the two parliaments, whilst accurately reflecting the relative strengths of the two parties in Edinburgh, did not provide the same accuracy of support the parties enjoyed on a national scale. The 'Creeping parliament' has been described as 'no more than a symbolic show of defiance' yet the same was no less true of the rival assembly whose effectiveness was even emptier.¹⁵⁹ This is illustrated by the inability of the Queen's party to enforce their tit-for-tat forfeitures and legislation and the almost immediate departure of Argyll and Boyd

from their ranks.

The Queen's party's plight during the Lennox regency, bereft of substantial foreign aid, was - as Maitland knew only too well - desperate. Maitland rightly perceived their possession of Edinburgh was crucial, as the war 'is brocht from all the rest of the realme to thir twa tounis' Leith and Edinburgh.¹⁶⁰ Despite the boasts of the King's party that they would take the town and the castle, Maitland was happy to report that the same was 'sa weil fortifeit and provydit that thai are constrainit to put water in thair wyn'.¹⁶¹ However, as noted earlier, the town and castle of Edinburgh was one of the few trump cards left remaining to the Queen's men. Elizabeth's continued reluctance, despite her clear favouring of the King's party, to furnish them with the telling military power was perhaps the next major factor prolonging the life of the Queen's party.

Maitland's letters to Mary and Archbishop Beaton illustrate his acute understanding of their declining fortunes. Maitland recounted the meagre assistance they had received from France: 'twa thousand crownis and ane thousand pistollis' did little to alleviate their urgent financial need.¹⁶² Their credit with the merchants was almost exhausted and mutiny beckoned if they did not receive substantial aid from France immediately. The recent defections of Argyll, Cassilis, Boyd and Eglinton had further damaged their credit with the merchants and allied to their critical financial situation was the equally alarming fact that they were badly outnumbered in military terms. Apart from their mercenaries and inhabitants of Edinburgh, Maitland admitted that they did not have one hundred men ready to fight.¹⁶³ This illustrates not only the importance of the burgesses of Edinburgh and helps explain the strenuous efforts made by both sides to obtain their support but also the Queen's party's urgent necessity of a regular money supply, vital for the retention of their mercenary force.¹⁶⁴

The King's party were not immune from financial worries either. Indeed the final phase of the war from 1571 to 1573 which came to be termed the wars between Leith and Edinburgh, took place against the backcloth of a severe economic crisis. The civil war, if not the root cause of this, certainly exacerbated it to a critical extent. So severe were the cumulative economic effects which the military struggle

wrought on the Edinburgh community, particularly in terms of chronic inflation and food shortages, that the wars between Leith and Edinburgh have been said to have declined into a, 'struggle for the stomachs rather than the minds and hearts of the remaining Edinburgh inhabitants'.¹⁶⁵ Similarly, Sir William Drury's comment during this phase of the war, that 'money is the man in Scotland' correctly emphasised the fundamental influence financial considerations exercised over this ultimate chapter of the civil war.¹⁶⁶

It is against this backcloth of a growing economic and political crisis, particularly from the perspective of the Queen's party, that the events of the night of 4 September 1571 in Stirling ought to be judged. This botched coup is one of the most significant episodes in the civil war. Although its failure had terminal implications for the cause of the Queen's party, that it came within an ace of success illustrates not only the fragility of the King's party's authority but also the utter precariousness of Elizabeth's Scottish policy. At first it appeared that the stratagem had gone completely according to plan. Maitland's aim of capturing Morton, Lennox, Argyll, Glencairn, Cassillis, Eglinton, Montrose, Menteith and Ruthven - 'the haill nobilmen of yat syde' bar Mar and Angus who were safely ensconced in the Castle - and conveying them to the surety of Edinburgh Castle seemed within their grasp. The Queen's party, however, managed to snatch defeat from the jaws of victory. The greed of the borderers for petty spoils ensured that 'the whole fruit of the journey was lost' in the farcical chaos that they provoked. Buccleuch's 'untymous kindness' in releasing Morton led to the *mêlée* which saw the slaughter of Lennox and the escape of the other lords. Instead of regaining the initiative, Maitland was forced to admit that the strike had done the King's party more good than harm by ridding them of their greatest liability, Lennox. If Maitland was guilty of overstating the point, there was still much truth in his assessment.¹⁶⁷

Maitland had never hidden his contempt for Lennox since his appointment as regent. Hypocritically, in view of his own earlier attachment to the English cause, Maitland denounced him, as 'an Englishman sworn'. He ridiculed Lennox as an incompetent, not to be held responsible for the lamentable state of the realm 'for he is too simple

to bear the burden of their faults'.¹⁶⁸ It had become increasingly apparent that Lennox did not enjoy the full support of the King's party, particularly that of Morton, the real power behind the throne, and was hindering their prospects. Maitland even claimed that it was the King's men who were responsible for the death of Lennox, alleging that before the Stirling fiasco they had plotted his downfall as 'is notoriously known in Scotland and England'.¹⁶⁹ It was certainly true, regardless of who fired the shot that killed Lennox, as Maitland acknowledged, that the King's men stood to gain considerably more from his removal than their adversaries. The speedy appointment of Mar as Lennox's successor within twenty-four hours of his death was felt by Maitland to be further proof of the scant regard Lennox was held in by his supposed supporters.¹⁷⁰

The Mar Regency

The appointment of Mar did not signal any upturn in the Queen's party's fortunes. His thirteen-month regency witnessed their further decline amidst a series of disastrous international blows to their cause. The discovery of the Ridolfi Plot, and even more decisively the effects of the St Bartholomew's Massacre, served to harden Elizabeth's attitude to the Marian question. By early 1572 Elizabeth had publicly announced her firm opposition to Mary. By the autumn of that year the extremity of that opposition had deepened so radically that she was prepared to deliver Mary up to the King's party for almost certain death.¹⁷¹ This 'great matter' as it came to be known is a timely reminder of the great delicacy of the Marian question. For whilst both Elizabeth and the King's men would have been quite happy to reap the benefits of Mary's execution, neither were prepared to perform the dirty deed and to be held publicly responsible for it.

It is not being over-dramatic to state that the Bartholomew's Massacre sounded the death-knell loud and clear for the Queen's party. The Catholic orgy of violence against the Huguenots practically negated the effects of the recent Anglo-French reconciliation of Blois but this was of little import in relation to the overwhelming damage it inflicted upon their cause, given France's inability to implement a similarly militant policy in Scotland. It is somewhat ironic that the

Queen's party's continuous attempts to gain overseas aid reaped them such a destructive harvest. The aid they received was far out-weighted by the damage such dangerous Catholic connections wrought to their cause. Maitland unsuccessfully tried to distance himself and the Queen's party from the Bartholomew's Massacre but to no avail.¹⁷² He knew only too well that it was the spur that would finally procure decisive English intervention. A letter from Francis Walsingham to Mar, dated 7 October 1572, perfectly illustrates the post-Bartholomew paranoia that was so detrimental to the Queen's party.¹⁷³ Walsingham voiced the widespread view that the massacre was the first fruits of Trent and Bayonne. Scotland was the next and obvious target for the forces of international popery. Scotland's danger was now once again England's danger and in admitting as much Walsingham spelt out the bottom line that dictated Elizabeth's policy throughout the civil war. For it was only when the security of England was threatened that she fully addressed herself to the quest for a final settlement. The threat to England of a potentially papist and militant Scotland was just enough to jolt Elizabeth decisively, albeit slowly, into action.

Just a month prior to the French massacre, the Queen's party had agreed to a two-month abstinence which ultimately lasted from 1 August 1572 to 1 January 1573.¹⁷⁴ Opinion on the wisdom of this has varied. Maitland certainly regretted the consequences of it, which saw the King's party regain control of the burgh but Killigrew also saw the King's men as the losers of the truce. He was still fearful of the arrival of Alva and the military power of a revictualled Castle.¹⁷⁵ Maitland, too, continued to emphasise to Mary the strategic importance of the Castle, which was 'ay able to cast the ballance'. Maitland believed that 'For sa lang as the castel is preservid the cause will not perish' and that if the French had done their part, victory would already have been assured.¹⁷⁶ However, as Maitland seems to have realised all along, the solution did not lie in the Scots' own hands. Both Maitland and Mary seem to have consistently felt that their best chance of gaining satisfaction lay in the enlistment of Elizabeth's support for their cause. Even at this late stage he urged Mary to try and effect a reconciliation with Elizabeth.¹⁷⁷ It is difficult at this juncture to see how such a rapprochement could have been effected.

Maitland, throughout the abstinence, tried to procure such a reconciliation. He sought to do this by resuscitating his friendship with Burghley, reminding him yet again of their old father-and-son relationship and his willingness to follow his guidance once more. Maitland even sought to justify the disintegration of his friendship with Lord James.¹⁷⁸ Despite the resumption of a mutual correspondence, it was a striking feature of Maitland's conduct during these and even darker days that he refused to follow Cecil's path and its desertion of Mary's cause. It is remarkable that Maitland, the great changeling of Scottish politics, remained steadfast to the end in his support for Mary and the Queen's party.

Maitland and Mary

Whilst not wishing to stray into the moralistic and apologetic pitfalls that seem to plague any discussion pertaining to Mary, Maitland's personal relationship with his Queen must be examined if an accurate appraisal is to be made of his conduct in this final phase of the war. The question of how far Maitland was essentially Mary's man rather than an anti-King's party man is in any case a question of fundamental importance to this thesis. In addressing this issue it would be erroneous to ignore the fact that Maitland's behaviour did not conform to the pattern his opponents so vigorously accused him of. It was certainly not for the lack of an opportunity to do otherwise that Maitland remained true to the cause of Mary. Both he and Kirkcaldy, could, almost at any point up until the final siege of May, have abandoned their resistance and secured their own personal safety. Repeated offers were made to Maitland to renounce Mary and enjoy a safe living in England yet repeatedly Maitland rejected those overtures.¹⁷⁹ Why?

Quite possibly and with good cause, Maitland was perhaps suspicious of the sincerity of such offers. Alternatively it has been suggested that the key to Maitland's steadfast resistance lay in his insatiable love of power and his bitter hatred of his opponents in the King's party.¹⁸⁰ More than once it was claimed that Maitland acted out of spite for the King's men rather than for devotion to Mary. A slightly different almost altruistic slant, albeit consistent with Maitland's

deep-rooted opposition to the King's party, was suggested by Randolph. He believed, Maitland's 'course is to bring home his mistress' but felt that it stemmed from his contempt for the King's party rather than 'to profyt himself'.¹⁸¹ Perhaps Randolph's perception was correct although it is hard to imagine Maitland being altogether unconcerned about himself. The rationale behind Maitland's conduct becomes even harder to detect if the view of Claude Nau - that Mary held him responsible above all others for her downfall and never forgave him - is taken into account.¹⁸² However, if Mary was so bitterly opposed to Maitland why should he so resolutely refuse to come to terms with the King's party? Fortunately the evidence permits another interpretation.

As noted earlier, Maitland admitted he had done 'very ungodly' but was ready to accept Mary's judgement in the matter, 'I doubte not I shall be able to justifie my selfe in the pointe the quene hir selfe being judge whom the matter moste towcheth whose judgement in that behalf I shall not refuse'.¹⁸³ The Maitland-Mary correspondence after 1570 suggests that Maitland had been forgiven for his former crimes and the establishment of their genuine working relationship tends to support this view. Of course, one would not expect to find in this correspondence an open admission that he was manipulating Mary and that he was not really interested in her restitution. However, the tenor of their communication, allied to Maitland's consistent rejection of terms that would have secured his own safety, suggests that, perhaps as much as anyone in this phase of the war, he was a Marian rather than an opponent of the King's party. A clearer picture would probably emerge but for the number of letters between them that do not seem to have survived. Both constantly referred to letters which the other had not received, an indication of the great difficulties of communication the Queen's party suffered throughout the war, with many vital letters falling into their enemies' hands. However, enough correspondence survives to be able to deduce the healthy state of the Mary-Maitland relationship.¹⁸⁴

In July 1570, Mary wrote in very friendly terms to Maitland, acknowledging 'the gritt skaith and dampnage by the hazard of your awne lyff that ye your father brother and friendis sufferis for your constancy in my cawses quhilk, God willing I hope to recompense nocht

withstanding all thir threatningis'.¹⁸⁵ In March 1570, Mary had already paid tribute to Maitland's 'gritt trawell and pains ye haif for the advancement and weillfair of my effaris' and voiced her trust in him 'referring all that may be neidfull to the weillfair of me effairis in thir partis to your wisdom'.¹⁸⁶ Mary's friendly reference to Mary Fleming is also testament to the restoration of a more than business-like relationship.¹⁸⁷ A letter of Mary dated December 1571 to Maitland and Grange shows her realisation of their importance to her cause, 'If you shall hold hard to them on the one side as I shall do on the other we shall yet wirk them a pirne that studyes to circumvene us'.¹⁸⁸ While Maitland's support was anything but straightforward it is difficult to prove that he and Kirkcaldy did not hold firm.

Although Maitland ultimately met with failure, his support of Mary was strongly tempered with realism. In August 1570, in a letter to the Bishop of Ross, he voiced his desire to see Mary restored to her kingdom but offered prophetic words of caution to involvement with ambitious and dangerous escape plans:

for albeit I wald be content to be banist Scotland all the dayes of my life to have the queen of scots obteynand liberty without the queen of England's consent for the great uncourtesy that scho hes usit unto hir rather than have it with hir consent... because I would she might be even...Yet I dare not advise her majesty to press it unless she be well assured that there is no kind of danger.¹⁸⁹

In so doing Maitland predicted almost exactly the English handling of the Ridolfi affair, allowing it to run until they could 'trap her in a snare and so to execute against hir person their wicked intention'.¹⁹⁰ Regrettably for Maitland this letter was one of the many to fall into English hands.

It is difficult, however, to detect that same sensible, cautious concern for Mary's best interests in Maitland's and Kirkcaldy's offer of April 1572 to Sir William Drury.¹⁹¹ This offer provides ammunition for those who prefer to see Maitland's resistance as intrinsically selfishly motivated. He and Kirkcaldy still refused to compromise on the fundamental issue of the establishment of Mary's authority as the basis for a reconciliation between the two Queens but were prepared to accept, in the meantime, the creation of a council equitably made up of King's and Queen's men and the detention of Mary at Elizabeth's

pleasure. The offer came to nothing but understandably Maitland and Kirkcaldy were anxious that their offer should be made known only to Cecil. It seems that Châtelherault and Seton were strongly opposed to any such deal.¹⁹² However, if this was such a sell-out the obvious question is why was the opportunity not seized upon by an English government keen to obtain a settlement on the cheap? Perhaps they doubted Maitland's sincerity and were reluctant to grant him more time to gain himself and the Queen's party a stronger, bargaining counter, leading ultimately to the King's party's detriment and Mary's advantage.

It is perhaps foolish given Maitland's own admitted rationale behind his political conduct to expect to find him following a straightforward course in this complex struggle. There is a good deal to be said for treating all Maitland's diplomatic offers with a sackful of salt. He had known all along the insincerity of the public avowals of Elizabeth and her ministers concerning their desire for an equitable settlement in Scotland. As early as August 1570 he was certain that Elizabeth 'intends never with her goodwill to part with her and therefore to satisfy other princes, proponis the harder conditions which she thinks will be refused'.¹⁹³ He advised both Mary and Lesley to play the English at their own game and agree to anything - regardless of the stringent conditions - that might ensure Mary's return. Any disadvantages could be redressed once Mary was home. It is perhaps in this devious context that Maitland's offers to the English ought to be viewed. Like the English diplomats, what Maitland offered often bore no resemblance to what he was seeking to achieve.

It is Maitland's self-interest that is at the crux of the debate as to how far he can be regarded as a Marian rather than as an opponent of the King's party. Maitland was clearly no altruist yet at the same time he was not supporting Mary for the good of his health. If that had been his motive he would surely have accepted Killigrew's invitations to retire to the comfort of an English spa.¹⁹⁴ As the cause of the Queen's party became more and more desperate, Maitland's own interest would surely have been better served by his desertion. He was too consummate a politician not to have been able to achieve a reconciliation guaranteeing his own personal security if he had so wished. This he refused to do. It would be wrong, however, to portray Maitland as

acting from a single and pure motive. There were few in either party who can have said to have acted in such a way. The recognition that Maitland's bitter contempt for the King's party stiffened his steadfast support of the Marian cause allows a more complete picture to emerge of his allegiance in this phase of the war. While he did not share the same principles as his kinsman Seton, who, seems to have acted consistently out of loyalty to Mary and Catholicism, ultimately, albeit paradoxically, there were few who could say they had sacrificed more for Mary than Maitland. Although Maitland had not always lived accordingly, the inescapable fact is that he died in Mary's service.

Whatever the precise nature of Maitland's motives - and they cannot be established with total certainty - he was definitely not oblivious of the damage the war was doing to Scotland. In one of the most perceptive contemporary observations, albeit somewhat partial in apportioning the blame, Maitland warned of the inheritance James could look forward to if a satisfactory solution was not found. The abuse of the realm by the King's party 'without all contradiction or challenge to the contrary' would, according to Maitland ensure that James:

shall fynde no kingdom at all apt for rewill bot in place thereof a confused chaos and a contrey deveyded in two or three hundred kyngdoms For if this state continue then shall in a short space of tyme start up two or three hundreth resembling Schane O'Neile where of every one wilbe a kyng in his owne boundes or in x myles compass.¹⁹⁵

Maitland, here, depicted the total collapse of the often fragile balance of what has been termed the *laissez faire* kingship of the Stewarts.¹⁹⁶ This was hardly surprising. If the scope for good lordship - 'the vital lubricant in magnatial politics' - was more limited in a regency;¹⁹⁷ it was non-existent in a civil war, which, almost by definition represented the disintegration of government by consent. The prediction that Scotland was heading the same way as Ireland was perhaps exaggerated, but it was a powerful indictment of the suspect motives of many within the King's party, motives that were at least as dubious as those they accused the Queen's party of possessing.

The sheer hopelessness of the task facing the Castilians on the resumption of hostilities on 1 January 1573, with the King's party buoyed up with English aid, whilst they remained ever hopeful but bereft of foreign aid must have played a great part in the decision of

many to surrender. The touching appeal Maitland and Grange made to Huntly in February 1573 was symptomatic of the fact that they knew their candle was out.¹⁹⁸ They begged him to stay, using their old bargaining counters of the prospect of French aid, of Elizabeth's hesitant reluctance to undertake military action and the prospect of better times ahead. Unsuccessfully they urged him not to be too swayed by the capture at Blackness of James Kirkcaldy, who had recently returned, complete with desperately needed French money. The most extraordinary aspect of their appeal was that their argument was still tenable. The proof of this is that, even following the Pacification of Perth in February 1573, it was a further three months before the Castle was forced into surrender. Indeed, given Elizabeth's remarkably dilatory execution of her Scottish policy, if substantial French aid had arrived then the struggle could have gone on inexorably.¹⁹⁹

The Morton Regency

The accession of Morton in place of the less dynamic Mar undoubtedly speeded up the end of the war. More ruthlessly determined, Morton was quite prepared to resort to sixteenth-century chemical warfare tactics in his pursuit of victory. Recent archaeological findings have supported the effectiveness of the poisoning of the Castle's water supplies. The sabotaging of St Margaret's Well with 'white arsenic and new limestones and filled up with dead carrions' was perhaps not the only instance of these underhand tactics by the King's party.²⁰⁰ There was certainly no love lost between Maitland and Morton and his appointment cannot have filled Maitland with optimism. However, shortly after his appointment as regent, Morton was struck by an illness that was expected to prove fatal. Maitland, too, was in ever declining health and the two bed-ridden invalids conspired to provide one last amusing episode that is nonetheless instructive in the detail it sheds on the bitterness between the former allies.²⁰¹

On hearing of Morton's illness Maitland attempted to throw an olive branch in his usual lofty style with the alleged, godly, intent of clearing both their consciences before their eternal judgement, 'sen God hes visiet baith him and me with corporall diseases and litle liklihood that evir we sall meit face to face'. Unsurprisingly it failed to effect

a reconciliation. In his letter, Maitland did not acknowledge Morton as regent but asked him to remember their old friendship and the favours he had done Morton, not the least of which was his role in securing for Morton the Chancellorship in 1562, even though Lord James was determined to obtain the same office for Marischal, his father-in-law. So much had Maitland done for the house of Angus and Morton that he alleged Morton had previously acknowledged his indebtedness saying, 'thair sould a memorial of my kyndnes remaine in thair chartour kistis'.²⁰² It was vintage Maitland and retorted to in some style by an angry and unrepentant Morton. He owed Maitland nothing and stated that Maitland had gained as much from their friendship as vice versa. As for a Douglas family memorial paying tribute to the services Maitland had rendered, 'Giff the memorie baith of his kyndnes and unkyndlie behavioure sould be placit in our chartoure kistis, I thinke the last sould exceid the first'.²⁰³ After this incident their relationship descended further into the bitterness from which Maitland's timely death provided his only escape. Maitland's public accusations that Morton's government shared the common errors of all 'unlawfull regementis' and that he had 'by hooke and by crooke ... intrusted himself in ane usurped auctoretie' were unlikely to endear him to the Regent but their days of friendship were in any case long since over.²⁰⁴

The Pacification of Perth and the arrival of an English army on 25 April signalled the end for Maitland and the Queen's party.²⁰⁵ Their only hope was foreign intervention. It was not forthcoming and, despite a determined, month-long resistance, anxiously awaiting assistance, on 29 May, hungry, parched and hopelessly outnumbered, an unconditional surrender was made.²⁰⁶ The Scottish civil war had been won and lost and Maitland's political life was over. Within two weeks he himself was dead.²⁰⁷

In conclusion, the tortuous course of the civil war from 1570 to 1573 had seen Mary's cause become Maitland's cause. That in itself was just one of the many contrasts between this final phase of his life and the outset of his political career during the Wars of the Congregation. The wheel had travelled full circle for Maitland. In place of his earlier anglophilia was a more traditional Scottish contempt for their

English neighbours. Maitland confessed, 'it breaks my hart to see us at this point that Englishmen may give us sik law as they will' and that the happiest news he could hear apart from the achievement of Mary's restitution, would be to discover Elizabeth 'had ben gane ad patres'.²⁰⁸ This, together with Maitland's affectionate and respectful references to the auld alliance with France were a far cry from the days when Maitland actively pursued the perpetual, godly, union of England and Scotland under Elizabeth's rule free from French tyranny. The war had also witnessed the collapse of Maitland's 'father and son' relationship with Cecil. This was sadly confirmed by Cecil's own son Thomas, who witnessed the fall of the Castle but refused to intercede with his father on Maitland's behalf.²⁰⁹ Maitland made one last appeal to Cecil on behalf of the Castilians for clemency on 29 May, recognising that 'we dout not your lordship is sore offended with us and perhaps not without caus'.²¹⁰ It was a typical Maitland understatement. It was certainly his last. As this chapter has strived to show, Maitland, through his own conduct and extensive influence had given the English every good reason to be 'sore offended'.

NOTES

1. Bannatyne, Memorials, 15.
2. While in 1568 Maitland was attacked as a 'false Machivilian' by the pro- Queen's party offering, 'A Rhime in defence of the Queen of Scots against the Earl of Murray' in J. Cranstoun (ed.), Satirical poems of the Reformation (STS, 1891-3), in the post-1570 phase of the war this slur becomes particularly prevalent, *ibid.* nos. ix, xxiii, xxx, xlv. The 'Chameleon' first circulated in 1570, McFarlane, Buchanan, 336. The whole question of this propaganda is dealt with in-depth during the course of this chapter.
3. Elizabeth's sorrow was reported by La Mothe Fenelon to Catherine de Medici, Teulet, (ed.), Correspondence Diplomatique, iii, 54.
4. Westmoreland's celebrations are noted in CSPF, ix, 179.
5. Diurnal, 158, records Maitland's trial coinciding with Moray's funeral as does RPC, xiv, 32-34.. For the quotation see Cot. Calig. C i, 506.
6. Details of the perfectly planned assassination can be found in Hist. KJVI, 46-47. Mary's gratitude is evident from the reward she gave the assassin and her letter to Archbishop Beaton, in Labannoff, Recueil, iii, 346-56.

- 7 The Hamiltons motives were suspected by many and it has been argued that Mary's fear of being controlled by the Hamiltons lay behind her failed attempt to reach Dumbarton after her release from Lochleven. Certainly the sincerity of the description of Châtelherault as 'The Queen's dearest Father adoptive' must be questioned. Fraser, Mary, 432.
- 8 CSP Scot ii, 457.
- 9 I am grateful to Dr. Goodare for information on Chalmer's activities which can be traced through CSP Scot, iii, especially 246-7, for his instructions from Châtelherault for France and Spain.
- 10 Donaldson, AQM, 118-20. Lee, Moray, 276, MacCaffrey, Elizabethan Regime, 247.
- 11 Bannatyne Memorials, 20, shows Maitland and his cousin exploiting this situation in the convention. See also Herries, Memoirs for details of the constitutional crisis, 121-4.
- 12 Warrender Papers, i, 78-9. details both sides suiting of Elizabeth.
- 13 This will be seen throughout this chapter and in much of Maitland's correspondence, *ibid.*, 78-79, CSPF, ix, 271, CSP Scot, iii, 181.
- 14 The King's party propagandists incessant denunciations of Maitland and the bitterness of the references to Maitland in Bannatyne's Memorials, *passim* suggests that this was so.
- 15 Diurnal, 160-1, CSP Scot, iii, 59, 68.
- 16 Warrender Papers, vol i, 75.
- 17 CSP Scot, iii, 114.
- 18 SP 52.17.77, Historie KJVI, 51, Diurnal, 163.
- 19 CSP Scot, iii, 116-117.
- 20 Balfour, Practicks, i, xi-xxx.
- 21 *ibid.*, i, xi-xxx.
- 22 *ibid.*, i, xi-xxx.
- 23 Diurnal, 163-68.
- 24 *ibid.*, 168.
- 25 *ibid.*, 149 records Kirkcaldy's 'luff' for Maitland. See also Bannatyne Memorials, 33.
- 26 The similarity between the shifts of Maitland and Kirkcaldy from 1558-73 is striking yet Maitland is generally remembered as the 'Chameleon' whilst Kirkcaldy is feted for the tourists at Edinburgh Castle as a legendary hero.
- 27 Warrender Papers, vol, i, 92-93.
- 28 *ibid.*, 110.
- 29 SP 52.17.22, Maitland 'inchantethe all the whole wyttes in Scotland'.
- 30 *ibid.* SP.52.17.22. for Randolph's gibe of 'some fine secretoire'.
- 31 This is generally reckoned to be so, see Maitland's letter to Leicester, SP 52.17.41.
- 32 Warrender Papers, i, 78-9.
- 33 Haynes, State Papers, 575.
- 34 Fenelon, Correspondence, iii, 188.
- 35 CSP Scot, iii, 98-100.
- 36 *ibid.*, 168-9.
- 37 *ibid.*, 82.
- 38 SP 52.18.11.
- 39 CSP Scot, iii, 67-169, *passim*, reveals Randolph's efforts from his arrival back in Scotland in February until May by which time he despises Maitland.
- 40 SP.52.17.34
- 41 Fraser, Mary, 271.

- 42 SP. 52.17.34.
- 43 CSP Scot, iii, 169.
- 44 *ibid.*, iii, 101-3.
- 45 *ibid.*, iii, 101-3.
- 46 Russell, Maitland, 485-6, argues for this damaging bias in Maitland. whilst Killigrew's description is found in CSPF, x, 204.
- 47 CSP Scot, xi, 101-103.
- 48 Warrender Papers, i. 80-9 is almost certainly drawn up by Maitland.
- 49 *ibid* and Bannatyne Memorials, 23-6, for refutation of the charge of bringing in 'strangers'. This issue will be dealt with in detail later in this chapter.
- 50 CSP Scot, iii, 101-3.
- 51 Diurnal, 168.
- 52 Heriot's instructions are in CSP Scot, iii, 122-23. The Queen's party proclamations see Bannatyne Memorials, 27-30 and CSP Scot, iii, 119-21.
- 53 *ibid.*, iii, 126-7.
- 54 Diurnal, 171.
- 55 *ibid.*, 167,170.
- 56 CSP Scot, iii, 126.
- 57 The best account of Sussex's invasion is R. Pollit, 'The defeat of the Northern Rebellion and the shaping of the Elizabethan regime' in SHR, 64, (1985), 1-22.
- 58 SP52.17.700, CSP Scot, iii, 196-98.
- 59 SP52.18.59, *ibid.*,217, CSPF, ix, 271.
- 60 The Hamiltons seem to have been the principal targets of the campaign and their heavy losses are noted in Diurnal, 177-78, and the 'unprecedented damage'. Fleming and Livingston suffered similar losses, 'insic maner that na hart can think thairon bot the same must be dolorous'.
- 61 CSP Scot, iii, 190.
- 62 *ibid.*, iii, 126.
- 63 *ibid.*, iii, 217, 226. SP 59.16.508 Hunsdon to Cecil, 'I am sorry to see her majestys purse more regardyd then eythir hyr honor or the present necessyte of her service'
- 64 CSPF, ix, 253, explained Elizabeth's fear of a 'kind of war' between France and England. For Sussex's amazement and disappointment at this policy, CSP Scot, iii, 190.
- 65 *ibid.*, iii, 172-3, 178-9. For Maitland's memorable boast of making 'Elizabeth sit on her tail and whine' and that he 'knew the bottom of her secrets' see *ibid.*, iii, 180.
- 66 Pollit, 'Rebellion', *passim*, Sadler, State Papers, ii, 147. CSP Scot, iii, 190, refers to the King's party as Elizabeth's party.
- 67 Pollit, 'Rebellion', 21.
- 68 Maitland to Beaton, Maitland Club, (1834) Miscelleaneous papers principally illustrative of events in the reigns of Queen Mary and James VI, 56-67.
- 69 SP52.19.47, SP52.19.33, CSP Scot, iii, 219-20.
- 70 Maitland to Beaton, *op.cit.* 60.
- 71 *ibid.*, 60.
- 72 CSP Scot, iii, 172-3.
- 73 Russell, Maitland, 429-30 and 437.
- 74 Melville, Memoirs, 256, for his memorable analogy of Randolph as Nero, fiddling while Scotland burned.
- 75 CSP Scot, iii, 138, Elizabeth acknowledged her fear of Alva,Spain

- and France. CSPF, ix, 217. Fenelon, Correspondence, iii, 144 details the threat from Charles IX of joint Franco-Spanish action against England in the face of Elizabeth's incursion into Scotland.
- 76 Charles IX to De la Mothe in CSP Scot, iii, 204, details the French troops withdrawal from Brittany, which were destined for Scotland.
- 77 SP 52.20.54.
- 78 SP52.19.33, CSP Scot, iii, 303 details the extent of Maitland's continued correspondence with Mary.
- 79 F.D. Bardgett, Scotland Reformed, 134.
- 80 Diurnal, 188.
- 81 *ibid.* 192-3. CSP Scot, iii, 378, 386, 392.
- 82 Donaldson, James V to VII, 102.
- 83 Maitland, Poems, 79-80.
- 84 Bannatyne, Memorials, 5-13.
- 85 Macfarlane, Buchanan, 392-415, esp, 393.
- 86 Satirical Poems, 248- 253.
- 87 *ibid.*, 252.
- 88 *ibid.*, nos, 16-39. Although this is chiefly King's party propaganda, the Queen's party were no less busy. See for example, the industrious output of Thomas Bassenden, a Queen's party printer in Edinburgh, in Lynch, Edinburgh, 316.
- 89 CSP Scot, iv, 367.
- 90 Bannatyne Memorials, 19.
- 91 'The Cruikit Liedis the Blind' in Satirical Poems, 128-131.
- 92 *ibid.*, 129.
- 93 Chameleon, 53.
- 94 McFarlane, Buchanan, 19-22, SP, v, 298.
- 95 SP52.17.77 for this nine page dialogue, compare this to the nine line entry in CSP Scot, 1569-71, 139.
- 96 The Works of William Fowler, vol, iii, (STS, 1940) xcvi, Warrender Papers ii, 396.
- 97 I am grateful to Dr Durkan for advice in this matter. The works of William Fowler, iii, xciv.
- 98 *ibid.* 46.
- 99 Bannatyne Memorials, 5-13; *ibid.*, Fowler, Works ii, 69-164.
- 100 *Ibid.*, iii, xcvi-xcix.
- 101 SP52.17.77., Bannatyne Memorials, 281 attests to the accusation of atheism.
- 102 Historie KJVI, 51.
- 103 McFarlane, Buchanan, 402-3.
- 104 Bannatyne Memorials, 32 and *passim*.
- 105 Again I am grateful to Dr Durkan for advice on this point but see the entry on Mair in DNB xii, 830-1 It is more possible that Maitland may have inherited his passionate unionism from Mair rather than any Machiavellianism.
- 106 Bardgett, Scotland Reformed, 127-35, confirms this point.
- 107 SP52.17.77.
- 108 H. Robinson (ed), The Zurich Letters, (Parker Society 1852), 210.
- 109 Calderwood, History, ii, 438.
- 110 Donaldson AQM, 98-99.
- 111 Zurich Letters, 228.
- 112 *ibid.*, 256-7; Letter book of John Parkhurst, Bishop of Norwich, Norfolk Record Society, 62.
- 113 CSP Scot, 1571-4, 557.
- 114 Bannatyne Memorials, 27-31.

- 115 Warrender Papers, i, 94-96.
- 116 SP70.122.26. For Sanders career see P.J. Holmes, Resistance and Compromise: The political thought of the Elizabethan Catholics. (Cambridge,1982).
- 117 Maitland to Beaton, op.cit., 66.
- 118 Melville, Autobiography, 34.
- 119 Bannatyne, Memorials, 281-2.
- 120 Calderwood, History, iii, 79-87.
- 121 *ibid.*,iii, 79-87.
- 122 See note 74 and 63 for Elizabeth's fear of Alva, which permeates a good deal of the King's party's correspondence with England eg CSP Scot, iii, 138, 144, 285, 307, 344,
- 123 CSP Scot, iii, 138; CSP Scot, iv, 160-1, 183-4 for Cecil's memoes on the subject.
- 124 *ibid.*, 393-5 and W.T. MacCaffery, Queen Elizabeth and the Making of Policy, 1572-88, (Princeton,1981), 404-5, for England's post-Bartholmew's attitude to Scotland.
- 125 Russell, Skelton, Bannatyne and Buchanan all acknowledge this. It was in many ways a similar operation to the one he had performed during the Reformation crisis. Bannatyne Memorials, 15, the opening quotation of this chapter put it superbly.
- 126 For the Hamilton connection see Buchanan, Chameleon, E.Finnie, 'The House of Hamilton,' IR, 36, and Maitland to Beaton op.cit., 65. See SP i, 445 and viii, 540-1 for the Maitland connection with Athol and Fleming respectively.
- 127 SP52.18.64. and CSP Scot, iii, 265-266.
- 128 M.D.W.MacGregor, 'A political history of the Macgregors before 1571' (Edinburgh Univ. PhD., 1989),, 358. I am very grateful to Dr MacGregor and Dr Dawson for drawing my attention to Maitland's correspondence in the Breadalbane Papers, GD 112/39/1-132, box one and the John Macgregor Collection GD 50/187/ box one, folder three, which details Maitland's role in the creation of this united front.
- 129 The Apology for William Maitland of Lethington, (SHS, misc. ii, 1904) (ed.), A.Lang, but written by Maitland's son James, 133-228.
- 130 Mary Fleming and Mary Livingston were of course two of the famous four Maries, whilst in 1566, as noted in the previous chapter, Maitland had found refuge with Livingston when he was in exile from the court.
- 131 SP 52.25.54.
- 132 W.S. McKechnie, 'Thomas Maitland' in SHR, 4, (1906), 274-93.
- 133 CSP Scot, iv, 43.
- 134 *ibid.*, 357-80 *passim*.
- 135 SP,v 291 for the Somerville connection. Bannatyne Memorials, 110, for Robert Maitland's efforts in convoying Maitland. See also his entry in Brunton and Haig, Senators, 122-3 and D.E.R. Watt, Fasti Ecclesiae Scoticae, Medii Aevi ad annum 1638, (SHS,1969), 9.
- 136 Donaldson, AQM, 130.
- 137 CSP Scot, iv, 292, and 299-300 for Mar's response.
- 138 The Maitland - Grange friendship is noted in my opening chapter.
- 139 Donaldson, AQM, 106.
- 140 SP52.18.59. and Bannatyne Memorials, 15.
- 141 'Clement Little's Edinburgh' in J. Kirk., Patterns of Reform, 16-69, underemphasises the connection. Little did more than trim his sails, *ibid.*, 47; acting as Maitland's advocate in 1569 at his 'Day of Law', Diurnal, 151-2.

- 142 As well as the letter already extensively quoted from, in July 1571 Beaton attempted to send Maitland 500 crowns which were intercepted, CSP Scot iii, 623-4; see *ibid*, iv, 523, for more evidence of the regular correspondence between Beaton and Maitland, in March 1573, Maitland was afraid to use his usual cipher
- 143 Donaldson AQM, 114. Early Records of St Andrews, 245-6.
- 144 Bannatyne Memorials, 38.
- 145 Calderwood, History, iii, 79-87.
- 146 SP.52.19.8.
- 147 Bannatyne Memorials, 126-7. Calderwood, History, iii, 79-87.
- 148 *ibid.*, 126-7, iii, 79-87.
- 149 This is discussed more fully in my opening chapter.
- 150 Maitland's tussle with Sussex was a prolonged one throughout the summer of 1570, but see especially, SP 52.18.61, SP 52.19.5. (I and II), and SP 52.19.9. (I and II).
- 151 SP 52.19.5 I
- 152 SP 52.19.5.I
- 153 Cott. Calig. CII, f31.
- 154 CSP Scot, iii, 285.
- 155 Maitland to Beaton *op.cit.*, 56-67.
- 156 *ibid*, 56-67.
- 157 Diurnal, 204-205, for Archbishop Hamilton's execution on 7 April, 1571. For Kirkcaldy's outrage, *ibid.*, 197.
- 158 Maitland to Beaton *op.cit.*, 56-67.
- 159 Lynch, Edinburgh, 27.
- 160 Maitland to Beaton *op.cit.* 56-67.
- 161 *ibid.* 56-67.
- 162 *ibid.*, 56-67.
- 163 Maitland to Mary, SP 53.7.33.
- 164 For an indepth study of Edinburgh's role in the civil war see Lynch, Edinburgh, esp, 125-48, 'the wars between Leith and Edinburgh'.
- 165 *ibid.*, 140.
- 166 CSP Scot, iii, 697.
- 167 *ibid.*, 679-83.
- 168 Bannatyne, Memorials, 132 and Cott. Calig. CII, f150.
- 169 SP 52.21.37 and CSP Scot, 1569-71, 686-7.
- 170 *ibid.* 686-7.
- 171 Cott. Calig. CII, f452 for Protestant fears of Mary's papistry, expressing the view that Mary must die. For the great matter; CSP Scot, iv, 399, 402, 427, 439.
- 172 *ibid.*, iv, 507.
- 173 *ibid.*, iv, 453.
- 174 Diurnal, 307-11.
- 175 Lynch, Edinburgh, 144.
- 176 CSP Scot, iv, 376 and 513.
- 177 *ibid.*, iv, 376,
- 178 SP 59.17.1085, CSP Scot, iv, 76, 365.
- 179 *ibid.*, 420, 425, 539.
- 180 Russell, Maitland, 454.
- 181 SP 52.19.5.
- 182 Nau, Memoirs 51-54.
- 183 SP 52.19.5.
- 184 See for example, CSP Scot, iv, 682 for references to lost correspondence.

- 185 Warrender Papers, i, 96-98.
- 186 *ibid.*, i, 75-78.
- 187 *ibid.*, i, 75-78.
- 188 CSP Scot, iv, 60-1.
- 189 SP 53.5.64.
- 190 *ibid.*, and CSP Scot, iii, 309.
- 191 CSP Scot, iv, 224-6.
- 192 *ibid.*, iv, 224-6 and 226-7.
- 193 SP 53.5.64
- 194 CSP Scot, iv, 425, Russell, Maitland, 425.
- 195 SP 52.20.54.
- 196 M. Lynch, Scotland, A New History, (London, 1991), 135-9, 141-3, 152-5, 165-8.
- 197 *ibid.*, 143.
- 198 CSP Scot, iv, 499.
- 199 This was certainly Maitland's opinion, see his letter to Mary, *ibid.*, iv 463.
- 200 *ibid.*, iv 474. I am grateful to Elaine Finnie of the Huntly House Museum for details of these recent archeological findings.
- 201 Bannatyne, Memorials, 339-44.
- 202 *ibid.*, 341.
- 203 *ibid.*, 344.
- 204 Cott. Calig. C III, f448.
- 205 CSP Scot, iv, 495-8, for the Pacification; for the arrival of English forces, Diurnal, 330-1.
- 206 Diurnal, 333, for the surrender.
- 207 The precise cause and circumstances of his death have remained a mystery for over 400 years. Did Maitland imitate 'the auld Romanes' and commit suicide? Melville Memoirs, 256; Diurnal, 334 records that on 9 June, Maitland, 'depairtit at the plessour of God in June'. Little light can be added on this matter here. Russell's account in Maitland, 501-2 is a thorough enough treatment of this question.
- 208 SP 53.5.64.
- 209 Maitland and Grange requested Thomas Cecil to be their 'solester' but to no avail, CSP Scot, 577.
- 210 Cott. Calig. C IV, f58.

CONCLUSION

This study of Maitland's career from 1558-73 has revealed a picture considerably different and far more complex than any previous account of his life. This conclusion will briefly summarise the main findings of this thesis and discuss their implications for an assessment of Maitland's career and the period as a whole.

Importance Of The Secretariat

The most striking difference between this work and any other attempted on Maitland has been the attention it has paid to the seat of Maitland's power, the Secretariat. The development of the office has been traced from its fourteenth century origins to its position as the keystone of government in the 1560s. The full range of Maitland's vast responsibilities, relating to legal, administrative, financial, ecclesiastical and mercantile affairs has been acknowledged. These, together with his control of foreign policy and influence in parliament, the privy council, the Court of Session and the royal court itself, corroborate the view of the sixteenth-century as the age of the council, the Secretary and the court.

Cultural Background

The important contribution of the renaissance environment in which Maitland was raised by his father, the poet, judge, privy councillor, knight and family historian Sir Richard, to Maitland's ability to operate so successfully in the twin spheres of the court and the council has been explained. For the first time too, details of Maitland's university education have been stated with certainty, with his attendance at St. Leonard's College at St. Andrews in 1540 and at the *Collegio Caluicio* at Paris in 1542 confirmed by documentary evidence.¹ In a sense this represents an almost conventional Protestant education, with ideas imbibed at the 'well of St. Leonards' supplemented by time in France. Yet this thesis has shown that Maitland was seldom - least of all in his religious convictions - conventional. As far as religion was

concerned this was perhaps due to the Erasmian influences of his father. Sir Richard was described as 'civil albeit unpersuaded in religion' and was capable of extending hospitality to George Wishart shortly before his execution in 1546, but also of assisting Cardinal Beaton's escape from captivity in 1543.² It was perhaps this same even-handedness that explains why Maitland, unlike so many of his contemporaries, took no part in the murder of the Cardinal in 1547.

Maitland's Standing In Scottish Society

Closely related to the influence of Maitland's family background, has been the clarification of Maitland's standing in Scottish society, and the discussion of the question of how the son of a laird came to hold such a position of power? In this respect it has been shown that Maitland's career adds weight to the notion of the rise of the lairds and of the 'middling sort' generally, a development that was to be such a major feature of seventeenth century Scottish society. The 'new-man' label can, however, only be attached cautiously to Maitland. For while the elevation of the next generation of Maitlands to the peerage is in certain respects the epitome of the creation of a *noblesse de robe*, the Maitland family origins belong to the Anglo-Norman era of Scottish history. A similar qualification against accepting too enthusiastically the rise of the lairds at this time is the fact that Maitland's influence was due solely to his position as Secretary. It was the office that made Maitland and not vice versa. While it was significant that a laird could exercise such power at all, individual lairds could not hope to make such an impact. In this sense the manner of Maitland's rise to power was an accurate portent for the later rise of so many more lairds which was achieved largely through the growing institutional power of the legal profession.

Maitland And Religion

Inevitably in a career that encompassed, and was to a large part responsible for, the achievement of the victory of the Congregation and the establishment of the Scottish Reformation, this thesis has had much to say on the contentious issue of religion. Just as many recent studies on local manifestations of the Scottish Reformation have

contradicted John Knox's view that 'in religion thair is na middis', Maitland's career shows that the same was no less true on a national scale. This thesis has not undermined the role of religion in these years but rather shown how through all the major issues and not least in the Reformation crisis it was carefully channelled and managed. Maitland's vintage performances in the Reformation parliament of 1560 and the parliament of 1567 exemplify this and expose the inaccuracy of the view of the sixteenth-century as an age of religious fundamentalism. In this sense it is right to regard Maitland as a *politique* because he always sought to correlate the religious temperature to the wider political temperature. It has been noted that the most extreme Protestantism of his career coincided with the time when his political credit with Mary was at its lowest, even causing Maitland to abandon his consistent regard for a degree of liberty of conscience.

Despite Knox's condemnation of Maitland as an atheist, and his claim that Maitland regarded hell as nothing more than an invention 'designed to fray bairns'³, this thesis has shown that Maitland's Protestantism while not of the same stamp as Knox's was no less well informed or sincere. Maitland's Protestantism was never in doubt. He was regarded by papal representatives as a 'thorough Huguenot' while even during the Spanish marriage negotiations which were so offensive to Knox, Alvaro de La Quadra, the Spanish Ambassador and bishop of Aquila, was well aware that Maitland 'was no more desirous of the restitution of Catholicism than Cecil'. While Maitland seemed to hunger for the powers the English government exercised over their second estate and sought the powers James VI was later to exert over the General Assembly, Maitland was happy to work within the framework of the kirk. In November 1572, Knox only escaped an embarrassing confrontation in his own kirk session, for his slanderous remarks on Maitland's religious convictions, by his death. Perhaps Maitland's major contribution to an understanding of the difficult birth of State Protestantism in Scotland is his delineation of the heterogeneous composition of the religious body in Scotland, noted in chapter three. Maitland's simple recognition that as far as commitment to the new faith was concerned 'we be not

all alike', adds to the more complex realism that has been such an impressive mark of so much recent Reformation research.

Maitland's Unionism

Whilst the popular image of Maitland as an Anglophile has been rejected, this thesis has also recognised that Maitland's major goal was the achievement of the union of the realms in perpetual amity. He was in no doubt of the enormity of this task. 'In music you see most different tunes will by art be reduced to a perfect harmony. I am sorry there are so few do plye there coming to accord the harmony of this isle'⁴. Although in 1560 in the Arran marriage proposal Maitland was responsible for the most radical and Anglophile unionism ever voiced by a pre-Union Scottish official, it is only in that early phase of his career that he can be termed an Anglophile. Such an image contrasts sharply with the later phase of his career when his regard for England was such that it 'breaks my hart to see us at this point that Englishmen may give us sik law as they will'. The complete volte-face Maitland had performed since 1560, when he had played such a crucial role in the achievement of the diplomatic revolution which saw the auld alliance exchanged for the new amity was shown by his confrontation with the representatives for the General Assembly in 1571. It was now Maitland's belief that Lennox as a foreigner an 'Englishman sworn' could never be 'lauchfull Regent to this realme' unlike the earlier regency of the French-born Duke of Albany which was legitimised according to Maitland because 'we ar joynd in leig and amity with France, but England hes bene over ould enemies'⁵.

Maitland was always a unionist but only briefly an Anglophile. It has been shown that from early January 1561, once Maitland realised Mary was returning, the amity was renegotiated along lines which held a consistent regard for Mary's honour and surety. It is very hard to argue with Maitland's profession that he had consecrated himself to the union of the realms. What has been debated in this thesis are the differing means he sought to achieve that goal. What has been offered is more than a critique of Maitland's attachment to the amity, it is a reappraisal.

The Context For Viewing Maitland's Career

It is this more rounded and informed picture of Maitland - of his power, of the cultural influences at work on him, of his early years, of his sophisticated attitude towards the religious question and union - that provides the basis of this thesis' interpretation of Maitland's career. In the eight chapters that cover his deep involvement with the major issues of 1558-73, it has not been necessary to succumb to the temptation that has plagued so many historical biographers of tortuously twisting events so as to emphasise the central importance of their chosen subject. It is difficult to see how any serious account of the years 1558-73 in Scotland's history could avoid recognition of Maitland and his at times magisterial influence over the course of events. Nor has it been necessary to indulge in the apologetics that mar too many essentially, biographical works. It has not been the intention in the best traditions of 1066 And All That to show Maitland as either a 'very good thing' or 'a bad thing', but rather to assess objectively his impact and his role in these remarkable years.

Propaganda

An examination of the development of sixteenth-century propaganda plays a major role in this thesis. The importance of the growing appeals to public opinion are dealt with in detail in chapter eight. The propaganda attacks on Maitland, responsible to a large part for his unsavoury historical reputation have been refuted, not out of a desire so evident in earlier biographies to endow his character in some sort of saintly, innocent glow but for the sake of an historical approach, based on hard fact and evidence rather than prejudice. There is in fact a good deal of useful information to be gleaned from the hugely biased propaganda. The frequency of the attacks on Maitland attests to his importance and shows how much his many talents, including his ability to 'lay a plaster over the wound of variance' was feared.

Maitland's Inconstancy

The most spectacular charges laid against Maitland can be found in George Buchanan's Chameleon, which brilliantly lampoons Maitland's many changes of allegiance. This thesis has charted those changes in detail

- his betrayal of Mary of Guise, his radical unionism in the Reformation crisis and the Arran marriage proposal, his volte-face of January 1561 when he realised the impending return of Mary, his complete support of her until 1565 and the Darnley marriage, his major role in the attempted coup of 1566, his rehabilitation but subsequent leading role in her deposition and then finally his role as the leader of the Queens Party. Yet this thesis has also recognised Maitland's own admission that he regarded his ability to adapt as an essential political virtue. Chapter eight has shown this in detail but several points are worth noting here. Maitland was right to regard this ability to change as a political necessity. The years of his political influence were years of almost constant flux; as Cecil admitted, nothing in Scotland stood still and those who did were destined to sink in the quagmire that was Scottish politics. Maitland was not the only one in Scotland not to stand still and it is interesting to note that the crafty Buchanan, Maitland's most bitter critic was hardly a model of consistency. Even Cecil, the revered elder statesman of Elizabethan history, whom Maitland adopted as his role-model and who is never portrayed as a chameleon, could teach Maitland a thing or two about trimming his sails. It says little for Cecil's constancy that he was able to serve without too many qualms, the somewhat diverse regimes of Somerset, Northumberland, Mary and Elizabeth.⁶ It is perhaps a reminder that history is very often the history of the winner that it is Cecil who is regarded as the statesman and Maitland the chameleon.

Maitland's Political Rationale

For all Maitland's admission that he regarded change as essential and that he considered it absurd to be regarded as 'inconstancie', 'if two or thre yeres ago I had thought a matter convenient to be done which now I think altogether unfit'⁷, it was his opinion that there was an underlying consistency to his actions. According to Maitland, underpinning his many vicissitudes was a zeal for the commonwealth. In 1570 Maitland professed that, 'The chief thing we ought moste to respect is our countrey, the common parent of us all and the quiette there off. To that ende we must direct all our actions'⁸. It was Maitland's firm conviction that his actions had been in keeping with

this dictum. Maitland's consistent use of the language of the commonweal to justify his actions has been acknowledged throughout this thesis, but as was shown in chapter six, in the discussion of the attempted coup of 1566, the broad and respectable resort to the language of the commonweal provided a very large and convenient umbrella to shelter some far less respectable motives. It is unquestionable that Maitland throughout his career was motivated to a certain extent by selfish concerns, and his strong self-preserved instincts have been acknowledged in his late defection from Mary of Guise to the Congregation, his refusal to join the Chaseabout' rebellion and in his late decision to join the confederacy arraigned against Mary and Bothwell. Yet while Maitland was capable of exploiting the language of the commonweal, it is the contention of this thesis that Maitland's actions were in the main guided by this concern.

This thesis has not been able to shed any precision on the question of Maitland's date of birth or in the manner of his death, which still remains one of the many unsolved mysteries of this period. It is hoped, however, that as a result of this study, the impact of his career from 1558-1573 is clearer than ever before and that a useful contribution has been made to the further erosion of the plague of Mariolatry that has for too long impeded serious historical analysis of this period of Scottish history.

NOTES

- 1 J.M. Anderson (ed.), Early Records of the University of St. Andrews, 245, and W.A. McNeill, 'Scottish entries in the Acta Rectoria Universitatis Parisiensis', SHR, 43, (1964), 66-83.
- 2 Knox, History, i, 43.
- 3 Bannatyne, Memorials, 281.
- 4 SP 52.18.61.
- 5 Bannatyne, Memorials, 132.
- 6 Read, Cecil, chapters 1-5, passim.
- 7 SP 52.19.5.
- 8 SP.52.19.5.

CONVENTIONS AND ABBREVIATIONS

State Papers: All references to the printed state papers are to the page number rather than to an entry number.

The following abbreviations are used:

Addit. MS Additional MS (BL).

Adv. MS Advocates' MS (NLS).

ADCP Acts of the Lords of Council in Public affairs, 1501-1544, ed. R.K.Hannay (Edinburgh, 1932).

APS Acts of the parliaments of Scotland, vols. i-iii, eds. T. Thomson & C. Innes (Edinburgh, 1814-44).

AQM Gordon Donaldson, All the Queen's Men: Power and Politics in Mary Stewart's Scotland, (London, 1983).

Balfour, Practicks Sir James Balfour of Pittendreich, Practicks, 2 vols., ed. P.G.B. McNeill (Stair Society, 1962).

Bannatyne, Memorials Richard Bannatyne, Memorials of Transactions in Scotland, 1567-1573, ed. R. Pitcairn (Bannatyne Club, 1836).

BL British Library, London.

Buchanan, History George Buchanan, The History of Scotland, vols. i-ii, ed. J. Aikman (Edinburgh, 1830).

BUK Booke of the Universall Kirk: Acts and Proceedings of the General Assemblies of the Kirk of Scotland, vols. i-iii, ed. T. Thomson (Bannatyne & Maitland Clubs, 1839-45).

Calderwood, History David Calderwood, History of the Kirk of Scotland, 8 vols. eds. T. Thomson & D. Laing (Wodrow Society, 1843-9).

CDS Calendar of Documents relating to Scotland, 5 vols. ed. J. Bain (Edinburgh 1881-8)

CSPF Calendar of State Papers Foreign for the Reigns of Mary and Elizabeth, 1553-1574, ed. J.Stevenson & others (1861-1905)

CSP Scot Calendar of the State Papers relating to Scotland and Mary Queen of Scots, 1547-1603,

	13 vols., eds. J. Bain & others (Edinburgh, 1898-1969).
<u>CSP Spanish</u>	<u>Calendar of State Papers Spanish</u> ed. M.A.S. Hume & others (London 1862-94).
<u>Diurnal</u>	<u>Diurnal of Remarkable Occurrents that have passed within the kingdom of Scotland since the death of King James the Fourth till the year 1575</u> , ed. T. Thomson (Bannatyne Club, 1833).
<u>East Lothian Trans.</u>	<u>Transactions of the East Lothian Antiquarian and Field Naturalists' Society.</u>
<u>ESR</u>	<u>Essays on the Scottish Reformation, 1513-1625</u> ed. D. McRoberts (Glasgow, 1962).
<u>ER</u>	<u>Exchequer Rolls of Scotland</u> , vols. xix-xxiii, ed. G.P. McNeill (Edinburgh, 1898-1908).
<u>HBC</u>	<u>Handbook of British Chronology</u> ed. E.B. Fryde and F.M. Powicke (London, 1961)
Herries, <u>Memoirs</u>	Lord Herries, <u>Historical Memoirs</u> , ed. R. Pitcairn (Abbotsford Club, 1836).
<u>Hist. KJVI</u>	<u>Historie and Life of King James the Sext, 1566-1596</u> , ed. T. Thomson (Bannatyne Club, 1825).
<u>IHR</u>	<u>International History Review.</u>
<u>IR</u>	<u>Innes Review.</u>
<u>James IV, Letters</u>	<u>Letters of James IV, 1505-13</u> , ed. R.L. Mackie (SHS, 1953).
<u>James V, Letters</u>	<u>Letters of James V</u> , ed. D. Hay (Edinburgh, 1954).
<u>JR</u>	<u>Juridical Review.</u>
Knox, <u>History</u>	John Knox, <u>History of the Reformation in Scotland</u> , 2 vols., ed. W.C. Dickinson (Edinburgh, 1949).
Knox, <u>Works</u>	<u>The Works of John Knox</u> , 6 vols., ed. D. Laing (Edinburgh, 1846-64).
Keith, <u>History</u>	Robert Keith, <u>The History of the Affairs of Church and State in Scotland from the Beginning of the Reformation to the Retreat</u>

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- NLS National Library of Scotland, Edinburgh.
- Pitcairn, Trials R. Pitcairn (ed.), Criminal Trials in Scotland, vols. i-ii (Bannatyne Club, 1833).
- Pitscottie, Historie Robert Lindsay of Pitscottie, Historie and Cronicles of Scotland, 3 vols., ed. A.J.G. Mackay (STS, 1899-1911).
- PRO Public Records Office, Chancery Lane London
- RMS Register of the Great Seal of Scotland vols. iv-vi, eds. J.M. Thomson & others (Edinburgh, 1882-94).
- RPC Register of the Privy Council of Scotland, vols. i-xiv, eds. J.H. Burton & D. Masson (Edinburgh, 1877-98).
- RSCHS Records of the Scottish Church History Society.
- RSS Register of the Privy Seal of Scotland vols. v-viii, eds. J. Beveridge & G. Donaldson (Edinburgh, 1957-82).
- SP The Scots Peerage, 10 vols., ed. J.B. Paul (Edinburgh, 1904-14).

Spottiswoode, <u>History</u>	John Spottiswoode, <u>The History of the Church of Scotland to the End of the Reign of James VI</u> , 3 vols. (London, 1851).
<u>SHR</u>	<u>Scottish Historical Review</u> .
<u>SHS</u>	<u>Scottish History Society</u> .
SRO	Scottish Record Office, Edinburgh.
<u>SRS</u>	<u>Scottish Record Society</u> .
<u>STS</u>	<u>Scottish Text Society</u> .
<u>TA</u>	<u>Accounts of the Treasurer of Scotland</u> , eds. J.B. Paul & C.T. McInnes (Edinburgh, 1916-78).

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 - b. Source collections, narratives, tracts etc.
 - c. Reference works.
3. SECONDARY WORKS, in a single alphabetical listing.
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- CS 1/9 Books of sederunt of the Lords of Council and Session
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